

identifies biographical information about the operator and system as well as a list of broadcast channels carried on the system. This form replaces the requirement that cable operators send a letter containing the same information.

*OMB Control Number:* 3060-0331.

*Title:* Aeronautical Frequency Notification.

*Form Number:* FCC Form 321.

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

*Respondents:* Business or other for-profit entities; Not-for-profit institutions.

*Number of Respondents:* 900.

*Estimated Time per Response:* 40 minutes.

*Frequency of Response:* Recordkeeping requirement; On occasion reporting requirement; One time reporting requirement.

*Total Annual Burden:* 603 hours.

*Total Annual Cost:* \$49,500.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* The FCC Form 321 is used by multichannel video programming distributors to obtain authority to commence operation of a system on frequencies used by aeronautical services. The information is used to protect aeronautical radio communications from interference.

*OMB Control Number:* 3060-0341.

*Title:* Section 73.1680, Emergency Antennas.

*Form Number:* Not applicable.

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

*Respondents:* Business or other for-profit entities; Not-for-profit institutions.

*Number of Respondents:* 142.

*Estimated Time per Response:* 0.5 hours.

*Frequency of Response:* On occasion reporting requirement.

*Total Annual Burden:* 71 hours.

*Total Annual Cost:* \$28,400.

*Privacy Impact Assessment:* No impact(s).

*Needs and Uses:* 47 CFR Section 73.1680 requires that licensees of AM, FM or TV stations submit an informal request to the FCC within 24 hours of commencement of use to continue operation with an emergency antenna. An emergency antenna is one that is erected for temporary use after the authorized main and auxiliary antennas are damaged and cannot be used. FCC staff uses the data to ensure that interference is not caused to other existing stations.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E6-13984 Filed 8-22-06; 8:45 am]

**BILLING CODE 6712-10-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2786]

### Petition for Reconsideration of Action in Rulemaking Proceeding

August 3, 2006.

A Petition for Reconsideration has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to this petition must be filed by September 7, 2006. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Caliente and Moapa, Nevada) (MB Docket No. 05-146).

*Number of Petitions Filed:* 1.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 06-7115 Filed 8-22-06; 8:45 am]

**BILLING CODE 6712-01-M**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2787]

### Petition for Reconsideration of Action in Rulemaking Proceeding

August 9, 2006.

A Petition for Reconsideration has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to this petition must be filed by September 7, 2006. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an

opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures (WT Docket No. 05-211).

*Number of Petitions Filed:* 1.

**William F. Caton,**

*Deputy Secretary.*

[FR Doc. E6-13740 Filed 8-22-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2788]

### Petition for Reconsideration of Action in Rulemaking Proceeding

August 15, 2006.

A Petition for Reconsideration has been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to this petition must be filed by September 7, 2006. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

*Subject:* In the Matter of Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cumberland, Kentucky; Weber City, Glade Spring and Marion, Virginia) (MB Docket No. 05-295)

*Number of Petitions Filed:* 1.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. E6-13983 Filed 8-22-06; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Industrial Loan Companies and Industrial Banks

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

**ACTION:** Notice and Request for Comment.

**SUMMARY:** The FDIC is seeking comment on specific issues related to industrial

loan companies and industrial banks (collectively, ILCs), including issues regarding the current legal and business framework of ILCs and the possible benefits, detrimental effects, risks, and supervisory issues associated with the ILC industry. The FDIC believes that public input will assist the FDIC in identifying any potential risks to the Deposit Insurance Fund, any emerging safety and soundness issues, or other policy issues raised by ILCs and, further, will assist the FDIC in determining whether statutory, regulatory, or policy changes should be made in the FDIC's supervision of ILCs in order to protect the Deposit Insurance Fund or other important Congressional objectives.

**DATES:** Written comments must be received on or before October 10, 2006.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Agency Web Site:* <http://www.fdic.gov/regulations/laws/federal/notices.html>. Follow instructions for submitting comments on the Agency Web site.

- *E-mail:* Comments@FDIC.gov.
- *Mail:* Robert E. Feldman, Executive Secretary, Attention: Comments, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

- *Hand Delivery/Courier:* Guard station at rear of the 550 17th Street Building (located on F Street) on business days between 7 a.m. and 5 p.m.

*Internet Posting:* All comments received will be posted without change to <http://www.fdic.gov/regulations/laws/federal/notices.html> including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** Thomas Bolt, Counsel, telephone (202) 898-6750, Federal Deposit Insurance Corporation, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Recently, the growth of the ILC industry, the trend toward commercial company ownership of ILCs and the nature of some ILC business models have raised questions about the risks posed by ILCs to the Deposit Insurance Fund, including whether their commercial relationships pose any safety and soundness risks. On July 28, 2006 the FDIC imposed a six-month moratorium on FDIC action to (i) accept, approve, or deny any application for deposit insurance submitted to the FDIC by, or on behalf of, an ILC, or (ii) accept, disapprove, or issue a letter of intent not to disapprove, any change in bank control notice submitted to the FDIC with respect to an ILC. The purpose of the moratorium is to preserve the status

quo while the FDIC evaluates (i) industry developments, (ii) the various issues, facts, and arguments raised with respect to the ILC industry, (iii) whether ILCs pose any increased risk to the Deposit Insurance Fund, or whether there are emerging safety and soundness issues or policy issues involving ILCs, and (iv) whether statutory, regulatory, or policy changes should be made in the FDIC's oversight of ILCs in order to protect the Deposit Insurance Fund or important Congressional objectives. A notice of the imposition of the moratorium was published in the **Federal Register** on August 1, 2006 (71 FR 43482, August 1, 2006). The notice expressed the FDIC's intent to seek public input on the issues and concerns raised with regard to the ILC industry.

ILCs were first chartered in the early 1900's as small loan companies for industrial workers. ILCs are state-chartered banks supervised by their chartering states and the FDIC, which is their primary Federal regulator. ILCs were first insured on January 1, 1934. As of March 31, 2006, 61 insured ILCs operating from California, Colorado, Hawaii, Indiana, Minnesota, Nevada, and Utah reported total assets approximating \$155 billion.

Under current law, certain ILCs may affiliate with, or be owned by, a company whose activities are generally considered to be commercial in nature. This ability of certain ILCs to be owned by or affiliated with commercial entities results from the Competitive Equality Banking Act of 1987 (CEBA). The CEBA generally exempts from the definition of "bank" in the Bank Holding Company Act (BHCA) any ILC that meets certain requirements. As a result, the parent companies of ILCs that qualify for the exemption from the BHCA, unlike companies that are subject to the BHCA, are not prohibited from engaging in commercial activities, and are not required to be supervised by the Federal Reserve Board (FRB) and may not be subject to any other form of consolidated supervision. Nevertheless, the majority of companies that own ILCs are financial entities. Eleven are under some form of consolidated supervision by either the FRB or the Office of Thrift Supervision (OTS). OTS-supervised holding companies currently control approximately 65% of the total ILC assets nationwide. Many other companies that own ILCs are subject to primary supervision by state or Federal regulators.

Since ILCs are insured state nonmember banks, they are subject to FDIC Rules and Regulations, restrictions under the Federal Reserve Act governing transactions with affiliates

and anti-tying provisions of the BHCA, various consumer protection laws and regulations, and the Community Reinvestment Act. ILCs are also subject to regular examinations, including examinations focusing on safety and soundness, consumer protection, community reinvestment, information technology and trust activities.

FDIC supervisory policies regarding an institution, including an ILC owned by a parent company, consider the organizational relationships of the institution. The FDIC has the authority to examine an ILC's relationships with its parent company and any other affiliate. Also, the FDIC's enforcement authority extends beyond the ILC itself and includes institution-affiliated parties. This includes the authority to require such action as the agency determines to be appropriate, which may include divestiture of the ILC. However, since the FDIC is not a consolidated supervisor, it does not have the authority to examine affiliates that do not have a relationship with the ILC or to impose capital requirements on the parent company of an ILC.

The FDIC generally follows the same review process for ILC applications and notices as it does for such filings from other applicants. In the case of applications for deposit insurance, the FDIC has the authority to impose reasonable conditions through its order approving the application. In the case of a change in bank control filed with the FDIC, the FDIC can impose requirements and restrictions through a formal agreement among the FDIC, the institution and the parent company. Decisions regarding specific conditions or provisions are based upon the totality of the filing and investigation, and may consider the complexity and perceived risk of the proposal, adequacy of capital and management, relationships with affiliated entities, and sufficiency of risk management programs, among other considerations. Conditions or provisions may be time-specific or may impose continuing requirements or restrictions that must be satisfied on an ongoing basis. Conditions may be modified or discarded at the request of the institution or at the FDIC's own initiative if circumstances change in the future.

*Concerns Expressed Regarding ILCs*

A variety of concerns have been raised regarding ILCs. These primarily focus on whether ILCs in a holding company structure that is not subject to some form of consolidated supervision pose greater safety and soundness issues or risks to the Deposit Insurance Fund than do insured depository institutions

in a holding company structure which is subject to consolidated Federal supervision. These concerns include the absence of consolidated supervisory requirements for the parent companies of ILCs; the absence of an obligation by the ILC parent company to keep the ILC well capitalized; and differences in authority to examine affiliate relationships. General concerns have also been raised about the potential mixing of banking and commerce that might be presented by an ILC.

## II. Questions Posed by the FDIC

In imposing the six-month moratorium on actions relative to applications for deposit insurance and notices of change in bank control, the FDIC indicated its intent to evaluate (i) industry developments; (ii) the various facts, issues, and arguments raised with respect to the ILC industry; (iii) whether there are emerging safety and soundness issues or other risks to the Deposit Insurance Fund or other policy issues involving ILCs; and (iv) whether statutory, regulatory, or policy changes should be made in the FDIC's oversight of ILCs in order to protect the Deposit Insurance Fund or other important Congressional objectives. The FDIC believes that public participation will provide valuable insight into the issues presented by recent trends and changes in the ILC industry, and will assist the FDIC in deciding how to respond to those issues. In order to obtain public input, the FDIC invites comments in response to the following questions. To aid our analysis, we encourage commenters to identify, by number, the question to which each section of their comment corresponds.

1. Have developments in the ILC industry in recent years altered the relative risk profile of ILCs compared to other insured depository institutions? What specific effects have there been on the ILC industry, safety and soundness, risks to the Deposit Insurance Fund, and other insured depository institutions? What modifications, if any, to its supervisory programs or regulations should the FDIC consider in light of the evolution of the ILC industry?

2. Do the risks posed by ILCs to safety and soundness or to the Deposit Insurance Fund differ based upon whether the owner is a financial entity or a commercial entity? If so, how and why? Should the FDIC apply its supervisory or regulatory authority differently based upon whether the owner is a financial entity or a commercial entity? If so, how should the FDIC determine when an entity is "financial" and in what way should it apply its authority differently?

3. Do the risks posed by ILCs to safety and soundness or to the Deposit Insurance Fund differ based on whether the owner is subject to some form of consolidated Federal supervision? If so, how and why? Should the FDIC assess differently the potential risks associated with ILCs owned by companies that (i) are subject to some form of consolidated Federal supervision, (ii) are financial in nature but not currently subject to some form of consolidated Federal supervision, or (iii) cannot qualify for some form of consolidated Federal supervision? How and why should the consideration of these factors be affected?

4. What features or aspects of a parent of an ILC (not already discussed in Questions 2 and 3) should affect the FDIC's evaluation of applications for deposit insurance or other notices or applications? What would be the basis for the FDIC to consider those features or aspects?

5. The FDIC must consider certain statutory factors when evaluating an application for deposit insurance (*see* 12 U.S.C. 1816), and certain largely similar statutory factors when evaluating a change in control notice (*see* 12 U.S.C. 1817(j)(7)). Are these the only factors FDIC may consider in making such evaluations? Should the consideration of these factors be affected based on the nature of the ILC's proposed owner? Where an ILC is to be owned by a company that is not subject to some form of consolidated Federal supervision, how would the consideration of these factors be affected?

6. Should the FDIC routinely place certain restrictions or requirements on all or certain categories of ILCs that would not necessarily be imposed on other institutions (for example, on the institution's growth, ability to establish branches and other offices, ability to implement changes in the business plan, or capital maintenance obligations)? If so, which restrictions or requirements should be imposed and why? Should the FDIC routinely place different restrictions or requirements on ILCs based on whether they are owned by commercial companies or companies not subject to some form of consolidated Federal supervision? If such conditions are believed appropriate, should the FDIC seek to establish the underlying requirements and restrictions through a regulation rather than relying upon conditions imposed in the order approving deposit insurance?

7. Can there be conditions or regulations imposed on deposit insurance applications or changes of control of ILCs that are adequate to

protect an ILC from any risks to safety and soundness or to the Deposit Insurance Fund that exist if an ILC is owned by a financial company or a commercial company? In the interest of safety and soundness, should the FDIC consider limiting ownership of ILCs to financial companies?

8. Is there a greater likelihood that conflicts of interest or tying between an ILC, its parent, and affiliates will occur if the ILC parent is a commercial company or a company not subject to some form of consolidated Federal supervision? If so, please describe those conflicts of interest or tying and indicate whether or to what extent such conflicts of interest or tying are controllable under current laws and regulations. What regulatory or supervisory steps can reduce or eliminate such risks? Does the FDIC have authority to address such risks in acting on applications and notices? What additional regulatory or supervisory authority would help reduce or eliminate such risks?

9. Do ILCs owned by commercial entities have a competitive advantage over other insured depository institutions? If so, what factors account for that advantage? To what extent can or should the FDIC consider this competitive environment in acting on applications and notices? Can those elements be addressed through supervisory processes or regulatory authority? If so, how?

10. Are there potential public benefits when a bank is affiliated with a commercial concern? Could those benefits include, for example, providing greater access to banking services for consumers? To what extent can or should the FDIC consider those benefits if they exist?

11. In addition to the information requested by the above questions, are there other issues or facts that the FDIC should consider that might assist the FDIC in determining whether statutory, regulatory, or policy changes should be made in the FDIC's oversight of ILCs?

12. Given that Congress has expressly excepted owners of ILCs from consolidated bank holding company regulation under the Bank Holding Company Act, what are the limits on the FDIC's authority to impose such regulation absent further Congressional action?

By order of the Board of Directors.

\* \* \* \* \*

Dated at Washington, DC, this 17th day of August, 2006.

Federal Deposit Insurance Corporation.  
**Robert E. Feldman,**  
*Executive Secretary.*  
 [FR Doc. E6-13941 Filed 8-22-06; 8:45 am]  
 BILLING CODE 6714-01-P

## FEDERAL MARITIME COMMISSION

### Notice of Agreements Filed

The Commission hereby gives notice of the filing of the following agreements under the Shipping Act of 1984. Interested parties may submit comments on an agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within ten days of the date this notice appears in the **Federal Register**. Copies of agreements are available through the Commission's Office of Agreements (202-523-5793 or [tradeanalysis@fmc.gov](mailto:tradeanalysis@fmc.gov)).

*Agreement No.:* 011602-009.

*Title:* Grand Alliance Agreement II.

*Parties:* Hapag-Lloyd AG; CP Ships (UK) Limited; CP Ships USA LLC; Nippon Yusen Kaisha; and Orient Overseas Container Line, Inc.; Orient Overseas Container Line Limited; and Orient Overseas Container Line (Europe) Limited.

*Filing Party:* Wayne R. Rohde, Esq.; Sher & Blackwell LLP; 1850 M Street, NW., Suite 900; Washington, DC 20036.

*Synopsis:* The amendment adds a provision dealing with the employment of U.S. flag vessels under the agreement and updates Hapag-Lloyd's corporate name.

*Agreement No.:* 011971.

*Title:* USL/ANL Space Charter Agreement.

*Parties:* U.S. Lines Limited and ANL Singapore Pte Ltd.

*Filing Party:* Robert B. Yoshitomi, Esq.; Nixon Peabody LLP; 2040 Main Street, Suite 850; Irvine, CA 92614.

*Synopsis:* The agreement would authorize USL to charter space to ANL in the trade between Asia, Australia, and New Zealand and the U.S. Pacific Coast.

By order of the Federal Maritime Commission.

Dated: August 18, 2006.

**Bryant L. VanBrakle,**  
*Secretary.*

[FR Doc. E6-13977 Filed 8-22-06; 8:45 am]

BILLING CODE 6730-01-P

## FEDERAL MARITIME COMMISSION

### Ocean Transportation Intermediary License Applicants

Notice is hereby given that the following applicants have filed with the

Federal Maritime Commission an application for license as a Non-Vessel-Operating Common Carrier and Ocean Freight Forwarder-Ocean Transportation Intermediary pursuant to section 19 of the Shipping Act of 1984 as amended (46 U.S.C. app. 1718 and 46 CFR 515).

Persons knowing of any reason why the following applicants should not receive a license are requested to contact the Office of Transportation Intermediaries, Federal Maritime Commission, Washington, DC 20573.

### Non-Vessel-Operating Common Carrier Ocean Transportation Intermediary Applicants

Cargo Master, Inc., 2396 E. Pacifica Place, Suite 230, Rancho Dominguez, CA 90220. *Officer:* Mun K. Chong, President, (Qualifying Individual).  
 S.L.C. Shipping Inc., 18910 E. Gale Avenue, #8, Rowland Heights, CA 91748. *Officer:* James Karshun Kwan, President, (Qualifying Individual).  
 Titan Shipping Line Corp., 1627 81st Street, Brooklyn, NY 11214. *Officer:* Michekke Xiao, President, (Qualifying Individual).

### Non-Vessel-Operating Common Carrier and Ocean Freight Forwarder Transportation Intermediary Applicants

Six-Master International Inc., 1971 W. 190th Street, Suite 150, Torrance, CA 90504. *Officers:* Jyhren Kuo, Managing Director, (Qualifying Individual), He Hu, CEO.  
 Orion Cargo Services Inc., 940 Jefferson Avenue, Suite 1R, Elizabeth, NJ 07201-1375. *Officer:* Hector Vilchis, President, (Qualifying Individual).

### Ocean Freight Forwarder-Ocean Transportation Intermediary Applicants

GM International Freight Forwarders Corp. dba GM International Freight Forwarders, 8438 NW 66 Street, Miami, FL 33166. *Officers:* Guillermo Lopez, President, (Qualifying Individual), Yessima Siles, Vice President.  
 MBA Logistics, L.L.C., 11455 Narin Drive, Brighton, MI 48114. *Officers:* Martin Stapleton, Vice President, (Qualifying Individual), Seiko Stapleton, President.  
 Daryl Flood Warehouse & Movers, Inc., Dallas, 450 Airline Drive, Coppell, TX 75019. *Officers:* J. Kelly O'Connor, Vice President, (Qualifying Individual), Daryl R. Flood, President.

Dated: August 18, 2006.

**Bryant L. VanBrakle,**  
*Secretary.*

[FR Doc. E6-13981 Filed 8-22-06; 8:45 am]

BILLING CODE 6730-01-P

## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

**AGENCY:** Board of Governors of the Federal Reserve System ("Board")

**ACTION:** Notice of information collection to be submitted to OMB for review and approval under the Paperwork Reduction Act of 1995.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Board, the Federal Deposit Insurance Corporation ("FDIC"), and the Office of the Comptroller of the Currency ("OCC") (collectively, 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 May 2, 2006, the Board, under the auspices of the Federal Financial Institutions Examination Council ("FFIEC") and on behalf of the agencies, published a notice in the Federal Register (71 FR 25842) requesting public comment for 60 days on the extension, without revision, of the Country Exposure Report for U.S. Branches and Agencies of Foreign Banks ("FFIEC 019"), which is a currently approved information collection. The comment period for this notice expired on July 3, 2006. No comments were received. The Board hereby gives notice that it plans to submit to OMB on behalf of the agencies a request for approval of the FFIEC 019.

**DATES:** Comments must be submitted on or before September 22, 2006.

**ADDRESSES:** Interested parties are invited to submit written comments to the agency listed below. All comments, which should refer to the OMB control number, will be shared among the agencies.

You may submit comments, identified by FFIEC 019 (7100-0213), 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](mailto:regs.comments@federalreserve.gov). Include the OMB control number in the subject line of the message.

- FAX: 202-452-3819 or 202-452-3102.