

other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 9, 2009.

**A. Federal Reserve Bank of New York** (Ivan Hurwitz, Bank Applications Officer) 33 Liberty Street, New York, New York 10045-0001:

1. *Ladder Capital Finance Holdings LLC, and Ladder Midco LLC*, both of New York, New York; to engage in commercial real estate finance or commercial mortgage backed securities or swaps to hedge risks or related advisory, management or servicing activities, pursuant to sections 225.28(b)(1), (b)(2)(iv); (b)(7)(i) and (iii); (b)(8)(ii)(B) and (ii)(C), of Regulation Y.

Board of Governors of the Federal Reserve System, September 21, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

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## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[FAR Case 2009-009; Docket 2009-0011; Sequence 2]

### Federal Acquisition Regulation; FAR Case 2009-009, American Recovery and Reinvestment Act of 2009 (the Recovery Act)—Reporting Requirements

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Notice—Centralized Reporting Tool at *FederalReporting.gov*.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) are issuing this notice to provide information to Federal contractors who have contracts funded, in whole or in part, by the American Recovery and Reinvestment Act of 2009 (“Recovery Act”), and include the FAR clause 52.204-11. This notice is being provided to offer assistance to Federal contractors in understanding the *FederalReporting.gov* centralized reporting tool.

**DATES:** *Effective Date:* September 25, 2009.

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact Mr. Ernest Woodson, Procurement Analyst, at (202) 501-3775. Please cite Notice—Centralized Reporting Tool at *FederalReporting.gov*.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On March 31, 2009, the Councils published an interim rule, FAR case 2009-009, American Recovery and Reinvestment Act of 2009 (the Recovery Act)—Reporting Requirements (74 FR 14639). The rule implements section 1512 of Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”), which requires Federal contractors that receive awards (or modifications to existing awards) funded, in whole or in part, by the Recovery Act to report cumulatively each calendar quarter on the use of the funds. Federal contractors will report using a centralized reporting tool at *FederalReporting.gov*. The reporting tool was anticipated to be available for the reporting period ending June 30, 2009, with reports due July 10, 2009. However, the reporting tool was not available and a notice was posted to *FederalReporting.gov* advising Federal contractors to maintain their data for the quarter ending June 30, 2009 for the cumulative report due October 10, 2009. The reporting tool is anticipated to be available at *FederalReporting.gov* on October 1, 2009.

On August 25, 2009, a **Federal Register** notice (74 FR 42877) was published to notify Federal contractors that the Recovery Accountability and Transparency Board (“Board”) had announced the availability of registration at *FederalReporting.gov*. To comply with the reporting required by 52.204-11, Federal contractors must first register at *FederalReporting.gov*. Early registration is encouraged. The

registration process requires authorization by the Federal contractors’ Government Business or Electronic Business Points of Contact listed in their Central Contractor Registration (CCR) record for the DUNS number indicated by the *FederalReporting.gov* registrant. Federal contractors, who have not already registered at *FederalReporting.gov*, should do so now. For more information on the registration and authorization process, go to the “Downloads” tab at *FederalReporting.gov* and select the “User Registration Guide” and “Recipient Point of Contact Guide” from the Documentation section. A User Guide for the reporting tool will be posted to *FederalReporting.gov* shortly and will also contain registration instructions.

Contractors are advised to review the “Recipient Reporting Data Model” also provided under the “Downloads” tab. This document includes the data elements that will be required for reporting. The FAR Council is not responsible for developing *FederalReporting.gov* but understands that the system is being initially developed to focus on core functionality and will not pre-populate data elements. Therefore, additional data elements not included in the list in FAR clause 52.204-11, primarily administrative information required by the Federal Funding and Accountability Act (FFATA), must be entered. These additional data elements include: agency information (awarding agency and Government contracting office); contractor information (name, address, DUNS number, and congressional district); and, award information (program source (treasury account symbol (TAS)) associated with the award. Further, contractors must select “Federally awarded contract” from a list of award types. Federal contractors will have much of this data on hand, or it will be readily available in the contract document.

Until posted at *FederalReporting.gov*, information to assist Federal contractors in preparing for reporting, including a series of Frequently Asked Questions (FAQs) on reporting for Federal contractors, has been posted to [http://www.whitehouse.gov/omb/recovery\\_default/](http://www.whitehouse.gov/omb/recovery_default/). These FAQs will familiarize Federal contractors with the new system, available guides, key dates and activities, and the reporting process. The FAQs also provide additional information on data elements, such as examples on how to calculate full-time-equivalent in order to report jobs created and retained.

Because some information may not be available in the contract document, such as the TAS, the FAQs provide instruction on how to easily locate this information in the Recovery Act Report updated daily at <https://www.fpdfs.gov>.

The current interim rule will remain in effect. The FAR Council anticipates that the first reporting cycle will provide valuable experience and information necessary to inform the Council's decision on how best to proceed with the FAR rule. Federal contractors will be notified of the FAR Council's plan through the **Federal Register**.

An emergency information collection request adding the additional data elements and extending OMB-9000-0166 has been approved by the Office of Information and Regulatory Affairs. Information Collections for OMB-9000-0167, 9000-0168, and 9000-0169 have been extended. See

<http://www.reginfo.gov/public/do/PRAMain> and select "DOD/GSA/NASA (FAR)" as agency.

Dated: September 23, 2009.

**Al Matera,**

Director, Acquisition Policy Division.

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Medicare & Medicaid Services

[Document Identifier: CMS-10180, CMS-R-199, CMS-R-72, CMS-10260 and CMS-10178]

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

**AGENCY:** Centers for Medicare & Medicaid Services, Department of Health and Human Services.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the Agency's function; (2) the accuracy of the estimated burden; (3) ways to enhance the quality,

utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Children's Health Insurance Program (CHIP) Report on Payables and Receivables; *Use:* Collection of CHIP data and the calculation of the CHIP Incurred But Not Reported (IBNR) estimate are pertinent to CMS' financial audit. The CFO auditors have reported the lack of an estimate for CHIP IBNR payables and receivables as a reportable condition in the FY 2005 audit of CMS's financial statements. It is essential that CMS collect the necessary data from State agencies in FY 2006, so that CMS continues to receive an unqualified audit opinion on its financial statements. Program expenditures for the CHIP have increased since its inception; as such, CHIP receivables and payables may materially impact the financial statements. The CHIP Report on Payables and Receivables will provide the information needed to calculate the CHIP IBNR.; *Form Number:* CMS-10180 (OMB#: 0938-0988); *Frequency:* Reporting—Annually; *Affected Public:* State, Local or Tribal governments; *Number of Respondents:* 56; *Total Annual Responses:* 56; *Total Annual Hours:* 336. (For policy questions regarding this collection contact Deborah McLeod at 410-786-0013. For all other issues call 410-786-1326.)

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicaid Report on Payables and Receivables; *Use:* The Chief Financial Officers (CFO) Act of 1990, as amended by the Government Management Reform Act (GMRA) of 1994, requires government agencies to produce auditable financial statements. Because the Centers for Medicare & Medicaid Services (CMS) fulfills its mission through its contractors and the States; these entities are the primary source of information for the financial statements. There are three basic categories of data: Expenses, payables, and receivables. The CMS-64 is used to collect data on Medicaid expenses. The CMS-R-199 collects Medicaid payable and receivable accounting data from the States. *Form Number:* CMS-R-199 (OMB#: 0938-0697); *Frequency:* Reporting—Annually; *Affected Public:* State, Local or Tribal governments; *Number of Respondents:* 56; *Total*

*Annual Responses:* 56; *Total Annual Hours:* 336. (For policy questions regarding this collection contact Deborah McLeod at 410-786-0013. For all other issues call 410-786-1326.)

3. *Type of Information Collection Request:* Reinstatement without change of a previously approved collection; *Title of Information Collection:* Information Collection Requirements in 42 CFR 478.18, 478.34, 478.36, 478.42, QIO Reconsiderations and Appeals; *Use:* In the event that a beneficiary, provider, physician, or other practitioner does not agree with the initial determination of a Quality Improvement Organization (QIO) or a QIO subcontractor, it is within that party's rights to request reconsideration. The information collection requirements 42 CFR 478.18, 478.34, 478.36, and 478.42, contain procedures for QIOs to use in reconsideration of initial determinations. The information requirements contained in these regulations are on QIOs to provide information to parties requesting the reconsideration. These parties will use the information as guidelines for appeal rights in instances where issues are actively being disputed. *Form Number:* CMS-R-72 (OMB#: 0938-0443); *Frequency:* Reporting—On occasion; *Affected Public:* Individuals or Households and Business or other for-profit institutions; *Number of Respondents:* 2,590; *Total Annual Responses:* 5,228; *Total Annual Hours:* 2,822. (For policy questions regarding this collection contact Tom Kessler at 410-786-1991. For all other issues call 410-786-1326.)

4. *Type of Information Collection Request:* Revision of a currently approved collection; *Title of Information Collection:* Medicare Advantage and Prescription Drug Program: Final Marketing Provisions CFR 422.111(a)(3) and 423.128 (a)(3) *Use:* Medicare Advantage (MA) plans must provide notice to plan members of impending changes to plan benefits, premiums and copays in the coming year so that members will be in the best position to make an informed choice on continued enrollment or disenrollment from that plan at least 15 days before the Annual Election Period (AEP). Beginning 2009, organizations will be required to notify plan members of the coming year changes using a combined standardized document at the time of enrollment and annually thereafter.

Section 422.111 requires, to the extent that a MA plan has a Web site, annual notification through the Web site of written, hard copy notification sent to the beneficiaries. Section 423.128 requires that a part D plan have