

The methodology combines the three factors with appropriate rates of discount to produce present-value estimates of expected total default-related carrying costs for a new mortgage in each state. Those state-level estimates were produced separately by Fannie Mae and Freddie Mac. FHFA weighted each Enterprise's estimates by its respective market share in recent years to produce a single set of estimates. FHFA then calculated the standard deviation from the mean of the state-level estimates of expected total default-related carrying costs, which was found to be 10 basis points.

The planned approach focuses on the small number of states that have expected total default-related carrying costs that significantly exceed the national average and, thus, cause the greatest increase in average loss given default. Based on current data, loans in five states would be assessed upfront fees. The state between one and one half and two standard deviations from the mean, Illinois, would have an upfront fee of 15 basis points. The states between two and three standard deviations from the mean, Florida, Connecticut, and New Jersey, would have an upfront fee of 20 basis points. The state more than three standard deviations from the mean, New York, would have an upfront fee of 30 basis points.

This approach would allow for variation in practice among the states and impose upfront fees only on those states that are statistical outliers from the rest of the country. If those states were to adjust their laws and requirements sufficiently to move their foreclosure timelines and costs more in line with the national average, the state-level, risk-based fees imposed under the planned approach would be lowered or eliminated. The approach recognizes that each state establishes legal requirements governing foreclosure processing that it judges to be appropriate for its residents. It also recognizes that unusual costs associated with practices outside of the norm in the rest of the country should be borne by the citizens of that particular state rather than absorbed by borrowers in other states or by taxpayers.

#### Future Changes to State-Level G-Fee Adjustments

The planned approach bases state-level adjustments to upfront fees on past experience and a limited range of cost variables. FHFA would consider, in the future, changes to its methodology to address additional variables. For example, these could include estimates of the impact of recently-enacted laws

and ordinances. Such calculations would be based on experience with similar laws and ordinances and their effects on per-day carrying costs. FHFA could also include a wider range of state actions in its methodology. For example, FHFA could consider state laws and ordinances affecting the disposition of acquired real estate following a default, commonly referred to as real estate owned (REO), and address attendant costs created by state and local rules that impose charges above a certain amount or impose duties that add to the costs of the Enterprises. The Enterprises, therefore, could undertake revisions to their state-level g-fees based on experience gained with additional measurement devices.

#### Input

FHFA invites input from any person with views on the planned approach and on potential future changes to state-level g-fee adjustments. In particular, FHFA is interested in the following three questions:

1. Is standard deviation a reasonable basis for identifying those states that are significantly more costly than the national average?
2. Should finer distinctions be made between states than the approach described here?
3. Should an upfront fee or an upfront credit be assessed on every state based on its relationship to the national average total carrying cost, such that the net revenue effect on the Enterprises is zero?

FHFA will accept public input through its Office of Policy Analysis and Research (OPAR), no later than November 26, 2012, as the agency moves forward with its deliberations on appropriate action. Communications may be addressed to FHFA OPAR, 400 Seventh Street SW., Ninth Floor, Washington, DC 20024, or emailed to [gfeeinput@fhfa.gov](mailto:gfeeinput@fhfa.gov). Communications to FHFA may be made public and would include any personal information provided.

Dated: September 19, 2012.

**Edward J. DeMarco,**

*Acting Director, Federal Housing Finance Agency.*

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**BILLING CODE 8070-01-P**

#### FEDERAL TRADE COMMISSION

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

**AGENCY:** Federal Trade Commission ("FTC" or "Commission").

**ACTION:** Notice.

**SUMMARY:** The FTC intends to ask the Office of Management and Budget ("OMB") to extend through November 30, 2015, the current Paperwork Reduction Act ("PRA") clearance for the information collection requirements in the FTC Red Flags/Card Issuers/Address Discrepancies Rules<sup>1</sup> ("Rules"). That clearance expires on November 30, 2012.

**DATES:** Comments must be submitted by October 25, 2012.

**ADDRESSES:** Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write "Red Flags Rule, PRA2 Comment, Project No. P095406" on your comment, and file your comment online at <https://ftcpublic.commentworks.com/ftc/RedFlagsPRA2> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be addressed to Steven Toporoff, Attorney, Division of Privacy and Identity Protection, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW., NJ-3158, Washington, DC 20580. Telephone: (202) 326-2252.

**SUPPLEMENTARY INFORMATION:**

*Title:* Red Flags Rule, 16 CFR 681.1; Card Issuers Rule, 16 CFR 681.2; Address Discrepancy Rule, 16 CFR Part 641.

*OMB Control Number:* 3084-0137.

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

*Abstract:* The Red Flags Rule requires financial institutions and certain creditors to develop and implement written Identity Theft Prevention Programs. The Card Issuers Rule requires credit and debit card issuers to assess the validity of notifications of address changes under certain circumstances. The Address Discrepancy Rule provides guidance on what users of consumer reports must do when they receive a notice of address discrepancy from a nationwide consumer reporting agency. Collectively, these three anti-identity theft provisions are intended to prevent impostures from misusing another

<sup>1</sup> 16 CFR 681.1; 16 CFR 681.2; 16 CFR Part 641.

person's personal information for a fraudulent purpose.

On July 10, 2012, the Commission sought comment on the information collection requirements and staff's PRA burden estimates associated with the Rules ("July 10 Notice"). 77 FR 40614. No comments were received.

Nonetheless, after further review of Census Bureau data, FTC staff has refined the estimated number of respondents subject to the Address Discrepancy Rule, which in turn, affects estimated hours burden in the aggregate. These revisions are detailed below.

*Estimated Annual Burdens:*<sup>2</sup>

A. Section 114: Red Flags and Card Issuers Rules:

(1) Red Flags:

(a) Estimated Number of Respondents: 167,639.

(i) High risk: 105,774.

(ii) Low risk: 61,865.

(b) Estimated Hours Burden:

(i) High-Risk Entities: 1,375,062 hours.

(ii) Low-Risk Entities: 38,150 hours.

(2) Card Issuers Rule:

(a) Estimated Number of Respondents: 17,978.

(b) Estimated Hours Burden: 71,912 hours.

(3) Combined Labor Cost Burden: \$62,375,208.

B. Section 315—Address Discrepancy Rule:

(1) Estimated Number of Respondents: 1,757,385.

(2) Estimated Hours Burden: 821,780.

(3) Estimated Labor Cost Burden: \$13,970,260.

C. Capital/Non-Labor Costs for Sections 114 and 315.

FTC staff believes that the Rules impose negligible capital or other non-labor costs, as the affected entities are likely to have the necessary supplies and/or equipment already (e.g., offices and computers) for the information collections described herein.

*Revised Estimated Burden for the Address Discrepancy Rule:*

The July 10 Notice stated that the number of entities likely covered by the Address Discrepancy Rule totaled 2,449,605 users of consumer reports. That tabulation, however, contained certain double-counting. Also, part of the revised estimate is based on newer Census data<sup>3</sup> that is also more consistent with source material previously used to estimate the

population subject to the Address Discrepancy Rule.

Using the revised inputs, staff estimates that Section 315 affects approximately 1,757,385 users of consumer reports subject to the FTC's jurisdiction. In addition, staff estimates that approximately 10,000 of these users will receive notice of a discrepancy, in the course of their usual and customary business practices, and thereby have to furnish to credit reporting agencies an address confirmation.

As detailed in the July 10 Notice, estimated average annual burden per entity to develop and follow policies and procedures for a notice of discrepancy is 28 minutes.<sup>4</sup> The cumulative hour burden for 1,757,385 entities would thus be 820,113 hours. The average annual burden for the 10,000 users of consumer reports to furnish a correct address to a consumer reporting agency is 10 minutes per entity, for a total of 1,667 hours. Thus, the cumulative estimated burden for Section 315 is revised to 821,780 hours.

As further detailed in the July 10 Notice, the FTC estimates an hourly rate of \$17 for administrative staff to comply with the policies and procedures for the Address Discrepancy Rule.<sup>5</sup> Accordingly, the total annual labor cost under Section 315 is revised to \$13,970,260 (821,780 hours × \$17 per hour).

Pursuant to the OMB regulations, 5 CFR Part 1320, that implement the PRA, 44 U.S.C. 3501 *et seq.*, the FTC is providing a second opportunity for the public to comment while seeking OMB approval to renew the pre-existing clearance for the Rule.

*Request for Comment:*

You can file a comment online or on paper. For the FTC to consider your comment, we must receive it on or before October 25, 2012. Write "Red Flags Rule, PRA2, Project No. P095406" on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtm>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social

Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any "[t]rade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential \* \* \*," as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>6</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online, or to send them to the Commission by courier or overnight service. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/RedFlagsPRA2> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#!home>, you also may file a comment through that Web site.

If you file your comment on paper, write "Red Flags Rule, PRA2, Project No. P095406" on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex J), 600 Pennsylvania Avenue NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice. The FTC Act and other laws that the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will

<sup>2</sup> The calculations underlying the estimates for Section 114 are detailed in the related July 10, 2012 Federal Register Notice. See 77 FR at 40614.

<sup>3</sup> <http://www.census.gov/econ/subs/> (Statistics of U.S. Businesses, "U.S., All industries": 2009 "County Business Patterns" spreadsheet).

<sup>4</sup> 77 FR at 40617.

<sup>5</sup> Id.

<sup>6</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. See FTC Rule 4.9(c), 16 CFR 4.9(c).

consider all timely and responsive public comments that it receives on or before October 25, 2012. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

Comments on the information collection requirements subject to review under the PRA should additionally be submitted to OMB. If sent by U.S. mail, they should be addressed to Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for the Federal Trade Commission, New Executive Office Building, Docket Library, Room 10102, 725 17th Street NW., Washington, DC 20503. Comments sent to OMB by U.S. postal mail, however, are subject to delays due to heightened security precautions. Thus, comments instead should be sent by facsimile to (202) 395-5167.

**Willard K. Tom,**  
General Counsel.

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**GENERAL SERVICES ADMINISTRATION**

[Notice-QDA-2012-01; Docket No. 2012-0002; Sequence 17]

**Multiple Award Schedule (MAS) Program Continuous Open Season—Operational Change; Extension of Comment Period**

**AGENCY:** Federal Acquisition Service (FAS), General Services Administration (GSA).

**ACTION:** Notice with a request for comments; extension of comment period.

**SUMMARY:** The General Services Administration (GSA), Federal Acquisition Service (FAS) issued a notice on July 23, 2012. The comment period is extended to provide additional

time for interested parties to the review and submit comments on the notice.

**DATES:** The comment period for the notice published in the **Federal Register** at 77 FR 43084, July 23, 2012, is extended for 30 days after publication in the **Federal Register**.

This change in operations will become effective 60 days after publication in the **Federal Register**.

**Comment Date:** Interested parties should submit written comments to the Regulatory Secretariat at one of the addressees shown below on or before 30 days after publication in the **Federal Register**. This will allow GSA sufficient time to consider the comments prior to the effective date of this notice.

**ADDRESSES:** Submit comments in response to Notice-QDA-2012-01 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by searching for "Notice-QDA-2012-01". Select the link "Submit a Comment" that corresponds with "Notice-QDA-2012-01." Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "Notice-QDA-2012-01" on your attached document.

- **FAX:** (202) 501-4067.
- **Mail:** General Services Administration, Regulatory Secretariat (MVCB), ATTN: Hada Flowers, 1275 First Street NE., 7th Floor, Washington, DC 20417.

**Instructions:** Please submit comments only and cite Notice-QDA-2012-01, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Angela Lehman, telephone 703-605-9541, email [DemandBasedModel@gsa.gov](mailto:DemandBasedModel@gsa.gov).

**SUPPLEMENTARY INFORMATION:** The General Services Administration (GSA),

Federal Acquisition Service (FAS) published a notice in the **Federal Register** at 77 FR 43084, July 23, 2012. The comment period is extended to provide additional time for interested parties to the review and submit comments on the notice.

Dated: September 12, 2012.

**Houston Taylor,**

Assistant Commissioner, Office of Acquisition Management, Federal Acquisition Service, General Services Administration.

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Administration for Children and Families**

**Proposed Information Collection Activity; Comment Request**

**Proposed Projects**

**Title:** State Self-Assessment Review and Report.

**OMB No.:** 0970-0223.

**Description:** Section 454(15)(A) of the Social Security Act, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, requires each State to annually assess the performance of its child support enforcement program in accordance with standards specified by the Secretary of the Department of Health and Human Services, and to provide a report of the findings to the Secretary. This information is required to determine if States are complying with Federal child support mandates and providing the best services possible. The report is also intended to be used as a management tool to help States evaluate their programs and assess performance.

**Respondents:** State Child Support Enforcement Agencies or the Department/Agency/Bureau responsible for Child Support Enforcement in each State.

**ANNUAL BURDEN ESTIMATES**

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Self-assessment report .....	54	1	4	216

*Estimated Total Annual Burden Hours:* 216.

In compliance with the requirements of Section 506(c)(2)(A) of the Paperwork Reduction Act of 1995, the

Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of

information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 370 L'Enfant