

Rules and Regulations

Federal Register

Vol. 78, No. 225

Thursday, November 21, 2013

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

BUREAU OF CONSUMER FINANCIAL PROTECTION

12 CFR Parts 1002, 1005, 1024, and 1026

Agency Information Collection Activities; Notice of Office of Management and Budget Approval of Information Collection Requirements

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice of approval of information collection requirements.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (Bureau) is announcing the Office of Management and Budget's (OMB) approval of new and revised information collection requirements contained in various final rules published in the **Federal Register**. See the **SUPPLEMENTARY INFORMATION** section below for additional information about each OMB approval.

DATES: Effective November 21, 2013. The effective date or dates of each final rule listed herein is provided in the related final rule or, as applicable, in relevant amendments published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: PRA-related documentation submitted to the OMB for each of the below listed final rules is available at www.reginfo.gov. Requests for additional information should be directed to the Bureau's PRA Officer, 1700 G Street NW., Washington, DC

20552, (202) 435-9575, or email: PRA@cfpb.gov.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*) the Bureau may not conduct or sponsor, and, notwithstanding any other provision of law, a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. Each final rule referenced herein states that affected parties do not have to comply with certain information collection requirements until OMB approves those information collection requirements and the Bureau publishes a notice in the **Federal Register** announcing this approval and the control number assigned by OMB. The Bureau hereby announces OMB approval of the information collection requirements contained in the final rules listed in the table below and the respective OMB control number currently assigned to each of the information collections.

Title of the collection and CFR citation	Federal Register citation for final rule	OMB Control No.	Date approved by OMB
Homeownership Counseling Amendments to the Real Estate Settlement Procedures Act (Regulation X)—12 CFR part 1024.	78 FR 6855	3170-0025	04/11/13
Mortgage Servicing Amendment (Regulation X)—12 CFR part 1024	78 FR 10695	3170-0027	04/26/13
Mortgage Servicing Amendment (Regulation Z)—12 CFR part 1026	78 FR 10901	3170-0028	04/17/13
Appraisals for Higher-Risk Mortgage Loans Amendment (Regulation Z)—12 CFR part 1026.	78 FR 10367	3170-0026	04/18/13
Loan Originator Compensation Amendment—12 CFR part 1026	78 FR 11279	3170-0031	04/17/13
Equal Credit Opportunity Act (Regulation B)—12 CFR 1002	78 FR 7215	3170-0013	04/10/13
Electronic Fund Transfer Act (Regulation E)—12 CFR 1005	78 FR 30661	3170-0014	06/25/13
Ability to Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z) (Concurrent Proposal)—12 CFR 1026.	78 FR 35429	3170-0035	07/12/13

The Consumer Financial Protection Bureau divided certain proposals to amend the Bureau's Regulations X and Z into separate Information Collection Requests (ICRs) in the Office of Management and Budget (OMB) system (accessible at www.reginfo.gov) to ease the public's ability to view and understand the individual proposals. Subsequent to the finalization of the rules, CFPB anticipates that it will recombine the portions of Regulations Z and X that are broken out in the reginfo.gov system into the existing control numbers for Regulations X and Z. CFPB respondents should continue to use the 3170-0015 control number for Regulation Z and 3170-0016 control

number for Regulation X throughout this time.

The Bureau notes that, while OMB has approved the information collection requirements as contained in the above noted final rules, the Bureau's current rules remain in effect and affected parties are not required to follow the requirements contained in final rules listed above until such time as the effective date of the respective final rule.

Dated: November 6, 2013.

Ashwin Vasani,
Chief Information Officer, Bureau of Consumer Financial Protection.

[FR Doc. 2013-27337 Filed 11-20-13; 8:45 am]

BILLING CODE 4810-AM-P

DEPARTMENT OF JUSTICE

28 CFR Part 16

[CPCLO Order No. 006-2013]

Exemption of Records Systems Under the Privacy Act

AGENCY: Executive Office for Organized Crime Drug Enforcement Task Forces (OCDETF), Department of Justice.

ACTION: Final rule.

SUMMARY: The Department of Justice (the Department or DOJ) amends its Privacy Act regulations for two Privacy Act systems of records previously entitled the "Drug Enforcement Task Force Evaluation and Reporting System," JUSTICE/DAG-003, and the

“Organized Crime Drug Enforcement Task Force Fusion Center and International Organized Crime Intelligence and Operations Center System,” JUSTICE/CRM–028. These amendments reflect a recent reorganization of the Department establishing the Executive Office for OCDEF as a separate DOJ component, and transferring responsibility for these systems from the Office of the Deputy Attorney General (ODAG) and the Criminal Division to this component. In light of this departmental reorganization, JUSTICE/DAG–003 has been renumbered to JUSTICE/OCDEF–001 and renamed as the “Organized Crime Drug Enforcement Task Forces Management Information System (OCDEF MIS),” and JUSTICE/CRM–028 has been renumbered to JUSTICE/OCDEF–002 while retaining the same name. When under the responsibility of ODAG and the Criminal Division, these systems were exempted from certain provisions of the Privacy Act of 1974 by exemptions placed in the Code of Federal Regulations (CFR) sections containing exemptions for ODAG’s and the Criminal Division’s Privacy Act systems. These amendments remove references to these systems from the CFR sections for ODAG and Criminal Division exemptions and add a new section for OCDEF exemptions, which continues comparable exemptions for these systems in order to avoid interference with the law enforcement functions and responsibilities of the Executive office for OCDEF.

DATES: This final rule is effective November 21, 2013.

FOR FURTHER INFORMATION CONTACT: Jill Aronica, Chief Information Systems Section, Executive Office for OCDEF, phone 202–514–1860.

SUPPLEMENTARY INFORMATION: The Department published a notice of proposed rulemaking (NPRM) reflecting these amendments in the **Federal Register** at 78 FR 56852, Sept. 16, 2013. (The Department also published amended system of records notices (SORNs) for JUSTICE/OCDEF–001 at 78 FR 56737, Sept. 13, 2013, and for JUSTICE/OCDEF–002 at 78 FR 56926, Sept. 16, 2013.) The Department invited public comments on the NPRM (and the SORNs). The comment periods closed on October 15, 2013, for JUSTICE/OCDEF–001 and on October 16, 2013, for JUSTICE/OCDEF–002 and the NPRM. The United States Postal Service and the government Web site for receiving electronic comments continued to operate as usual throughout the public comment periods.

No comments were received on either the NPRM or the SORNs.

List of Subjects in 28 CFR Part 16

Administrative practice and procedure, Courts, Freedom of information, Privacy, Sunshine Act.

Pursuant to the authority vested in the Attorney General by 5 U.S.C. 552a and delegated to me by Attorney General Order 2940–2008, the Department of Justice proposes to amend 28 CFR part 16 as follows:

PART 16—[AMENDED]

■ 1. The authority citation for part 16 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 552b(g), 553; 18 U.S.C. 4203(a)(1); 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717, 9701.

Subpart E—Exemption of Records Systems Under the Privacy Act

■ 2. Amend § 16.71 as follows:

- a. Revise paragraph (c);
- b. Remove the first two sentences of paragraph (d);
- c. Remove existing paragraph (e)(7); and
- d. Redesignate paragraph (e)(8) as paragraph (e)(7).

The revision reads as follows:

§ 16.71 Exemption of the Office of the Deputy Attorney General System—limited access.

* * * * *

(c) The General Files System of the Office of the Deputy Attorney General (JUSTICE/DAG–013) is exempt from 5 U.S.C. 552a(c)(3) and (4); (d); (e)(1), (2), (3) and (5); and (g).

* * * * *

§ 16.91 [Amended]

■ 3. Amend § 16.91 by removing paragraphs (u) and (v).

§ 16.135 [Added]

■ 4. Add § 16.135 to subpart E to read as follows:

§ 16.135 Exemptions of Executive Office for Organized Crime Drug Enforcement Task Forces Systems.

(a) The following systems of records are exempt from 5 U.S.C. 552a(c)(3) and (4); (d)(1), (2), (3), and (4); (e)(1), (2), (3), (4)(G), (H), and (I), (5), and (8); (f); and (g):

- (1) The Organized Crime Drug Enforcement Task Forces Management Information System (OCDEF MIS) (JUSTICE/OCDEF–001); and
- (2) The Organized Crime Drug Enforcement Task Force Fusion Center and International Organized Crime Intelligence and Operations Center System (JUSTICE/OCDEF–002).

(b) These exemptions apply only to the extent that information is subject to exemption under 5 U.S.C. 552a(j) and/or (k).

(c) Exemptions from the particular paragraphs of this section are justified for the following reasons:

(1) From paragraph (c)(3) of this section because to provide the subject with an accounting of disclosures of records in these systems could inform that individual of the existence, nature, or scope of an actual or potential law enforcement or counterintelligence investigation by the Organized Crime Drug Enforcement Task Forces, the Organized Crime Drug Enforcement Task Force Fusion Center, the International Organized Crime Intelligence and Operations Center, or the recipient agency, and could permit that individual to take measures to avoid detection or apprehension, to learn of the identity of witnesses and informants, or to destroy evidence, and would therefore present a serious impediment to law enforcement or counterintelligence efforts. In addition, disclosure of the accounting would amount to notice to the individual of the existence of a record. Moreover, release of an accounting may reveal information that is properly classified pursuant to Executive Order.

(2) From paragraph (c)(4) of this section because this paragraph is inapplicable to the extent that an exemption is being claimed for paragraphs (d)(1), (2), (3), and (4) of this section.

(3) From paragraph (d)(1) of this section because disclosure of records in the system could alert the subject of an actual or potential criminal, civil, or regulatory violation of the existence of that investigation, of the nature and scope of the information and evidence obtained as to his or her activities, of the identity of confidential witnesses and informants, of the investigative interest of the Organized Crime Drug Enforcement Task Forces, the Organized Crime Drug Enforcement Task Force Fusion Center, the International Organized Crime Intelligence and Operations Center, and other intelligence or law enforcement agencies (including those responsible for civil proceedings related to laws against drug trafficking or related financial crimes or international organized crime); could lead to the destruction of evidence, improper influencing of witnesses, fabrication of testimony, and/or flight of the subject; could reveal the details of a sensitive investigative or intelligence technique, or the identity of a confidential source; or could otherwise impede,

compromise, or interfere with investigative efforts and other related law enforcement and/or intelligence activities. In addition, disclosure could invade the privacy of third parties and/or endanger the life, health, and physical safety of law enforcement personnel, confidential informants, witnesses, and potential crime victims. Access to records could also result in the release of information properly classified pursuant to Executive Order.

(4) From paragraph (d)(2) of this section because amendment of the records thought to be inaccurate, irrelevant, incomplete, or untimely would also interfere with ongoing investigations, criminal or civil law enforcement proceedings, and other law enforcement activities; would impose an impossible administrative burden by requiring investigations, analyses, and reports to be continuously reinvestigated and revised; and may impact information properly classified pursuant to Executive Order.

(5) From paragraphs (d)(3) and (4) of this section because these paragraphs are inapplicable to the extent that exemption is claimed from paragraphs (d)(1) and (2) of this section and for the reasons stated in paragraphs (c)(3) and (c)(4) of this section.

(6) From paragraph (e)(1) of this section because, in the course of their acquisition, collation, and analysis of information under the statutory authority granted, the Organized Crime Drug Enforcement Task Forces, the Organized Crime Drug Enforcement Task Force Fusion Center, and the International Organized Crime Intelligence and Operations Center will occasionally obtain information, including information properly classified pursuant to Executive Order, that concerns actual or potential violations of law that are not strictly within their statutory or other authority or may compile and maintain information which may not be relevant to a specific investigation or prosecution. This is because it is impossible to determine in advance what information collected during an investigation or in support of these mission activities will be important or crucial to an investigation. In the interests of effective law enforcement, it is necessary to retain such information in these systems of records because it can aid in establishing patterns of criminal activity of a suspect and can provide valuable leads for federal and other law enforcement agencies. This consideration applies equally to information acquired from, or collated or analyzed for, both law enforcement agencies and agencies of the U.S. foreign

intelligence community and military community.

(7) From paragraph (e)(2) of this section because in a criminal, civil, or regulatory investigation, prosecution, or proceeding, the requirement that information be collected to the greatest extent practicable from the subject individual would present a serious impediment to law enforcement because the subject of the investigation, prosecution, or proceeding would be placed on notice as to the existence and nature of the investigation, prosecution, or proceeding and would therefore be able to avoid detection or apprehension, to influence witnesses improperly, to destroy evidence, or to fabricate testimony. Moreover, thorough and effective investigation and prosecution may require seeking information from a number of different sources.

(8) From paragraph (e)(3) of this section because to comply with the requirements of this paragraph during the course of an investigation could impede the information-gathering process, thus hampering the investigation or intelligence gathering. Disclosure to an individual of investigative interest would put the subject on notice of that fact and allow the subject an opportunity to engage in conduct intended to impede that activity or avoid apprehension. Disclosure to other individuals would likewise put them on notice of what might still be a sensitive law enforcement interest and could result in the further intentional or accidental disclosure to the subject or other inappropriate recipients, convey information that might constitute unwarranted invasions of the personal privacy of other persons, unnecessarily burden law enforcement personnel in information-collection activities, and chill the willingness of witnesses to cooperate.

(9) From paragraphs (e)(4)(G) and (H) of this section because this system is exempt from the access and amendment provisions of paragraph (d) of this section.

(10) From paragraph (e)(4)(I) to the extent that this subsection could be interpreted to require more detail regarding system record sources than has been published in the **Federal Register**. Should this subsection be so interpreted, exemption from this provision is necessary to protect the sources of law enforcement and intelligence information and to protect the privacy and safety of witnesses and informants and other information sources. Further, greater specificity could compromise other sensitive law

enforcement information, techniques, and processes.

(11) From subsection (e)(5) because the acquisition, collation, and analysis of information for law enforcement purposes from various agencies does not permit a determination in advance or a prediction of what information will be matched with other information and thus whether it is accurate, relevant, timely, and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light, and the accuracy of such information can often only be determined in a court of law. The restrictions imposed by subsection (e)(5) would restrict the ability of trained investigators, intelligence analysts, and government attorneys to exercise their judgment in collating and analyzing information and would impede the development of criminal or other intelligence necessary for effective law enforcement.

(12) From subsection (e)(8) because the individual notice requirements could present a serious impediment to law enforcement by revealing investigative techniques, procedures, evidence, or interest, and by interfering with the ability to issue warrants or subpoenas; could give persons sufficient warning to evade investigative efforts; and would pose an unacceptable administrative burden on the maintenance of these records and the conduct of the underlying investigations.

(13) From subsections (f) and (g) because these subsections are inapplicable to the extent that the system is exempt from other specific subsections of the Privacy Act.

Dated: November 7, 2013.

Joo Y. Chung,
*Acting Chief Privacy and Civil Liberties
Officer, United States Department of Justice.*

[FR Doc. 2013-27130 Filed 11-20-13; 8:45 am]

BILLING CODE 4410-NY-P

POSTAL SERVICE

39 CFR Part 20

International Product and Price Changes

AGENCY: Postal Service™

ACTION: Final rule.

SUMMARY: The Postal Service is revising *Mailing Standards of the United States Postal Service*, International Mail Manual (IMM®), to reflect the prices, product features, and classification changes to Competitive Services, as