

authority under the PRA to approve and assign OMB control numbers to collection of information requests and requirements conducted or sponsored by the Board. In exercising this delegated authority, the Board is directed to take every reasonable step to solicit comment. In determining whether to approve a collection of information, the Board will consider all comments received from the public and other agencies.

#### Request for Comment on Information Collection Proposal

The Board invites public comment on the following information collection, which is being reviewed under authority delegated by the OMB under the PRA. Comments are invited on the following:

- a. Whether the proposed collection of information is necessary for the proper performance of the Board's functions, including whether the information has practical utility;
- b. The accuracy of the Board's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used;
- c. Ways to enhance the quality, utility, and clarity of the information to be collected;
- d. Ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and
- e. Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the Board should modify the proposal.

#### Proposal Under OMB Delegated Authority To Extend For Three Years, Without Revision, the Following Information Collection

*Report title:* Reporting, Recordkeeping, and Disclosure Requirements Associated with Regulation NN.

*Agency form number:* FR NN.

*OMB control number:* 7100-0353.

*Frequency:* Event generated.

*Respondents:* Banking institutions.

*Estimated number of respondents:*

Reporting: 1; recordkeeping: 2; disclosure: 2.

*Estimated average hours per response:*

Reporting: 16; recordkeeping: 183; disclosure: 787.

*Estimated annual burden hours:*

1,956.

*General description of report:* Regulation NN includes certain reporting, recordkeeping, and disclosure requirements for banking institutions that elect to provide foreign currency exchange services to retail consumers. The regulation applies to state member banks, uninsured state-licensed branches of foreign banks, financial holding companies, bank holding companies, savings and loan holding companies, agreement corporations, and Edge Act corporations (collectively, "banking institutions") that engage in retail foreign exchange transactions.

*Legal authorization and confidentiality:* The reporting, recordkeeping, and disclosure requirements in Regulation NN are authorized pursuant to section 2(c)(2)(E) of the Commodity Exchange Act ("CEA"), 7 U.S.C. 2(c)(2)(E). Section 2(c)(2)(E) of the CEA prohibits a United States financial institution and its related persons under the supervision of a Federal regulatory agency, such as the Board, from offering or entering into certain types of foreign exchange transactions with retail customers except pursuant to a rule or regulation prescribed by the appropriate Federal regulatory agency allowing the transaction under such terms and conditions as the Federal regulatory agency shall prescribe.

Regulation NN's reporting requirement (12 CFR 240.4), recordkeeping requirements (12 CFR 240.7, 240.9(b)(2), and 240.13(a)) and disclosure requirements (240.5(a), 240.6, 240.7, 240.9(b)(2), 240.10, 240.13(a) & (c)-(d), 240.15, and 240.16(a) and (b)) are mandatory for banking institutions that engage in retail foreign exchange transactions.

The reporting requirement under section 240.4 of Regulation NN requires a banking institution to provide a prior written notice to the Board that includes information concerning customer due diligence; the policies and procedures for haircuts to be applied to noncash margin; information concerning new product approvals; and information on addressing conflicts of interest. The disclosure of this information is reasonably likely to result in substantial competitive harm to the banking institution, and therefore, may be kept confidential under exemption (b)(4) of the Freedom of Information Act ("FOIA"), which protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential" (5 U.S.C. 552(b)(4)). In addition, the prior written notice must also include a resolution of the banking institution's board of directors certifying that the institution

has written policies, procedures, and risk measurement and management systems and controls in place to ensure retail foreign exchange transactions are conducted in a safe and sound manner and in compliance with Regulation NN. Generally, this resolution by the board of directors would not be accorded confidential treatment. If confidential treatment is requested by a banking institution, the Board will review the request to determine if confidential treatment is appropriate.

The recordkeeping and disclosures required under sections 240.5(a), 240.6, 240.7, 240.9(b)(2), 240.10, 240.13(a) & (c)-(d), 240.15, and 240.16(a) and (b) of Regulation NN generally are not submitted to the Board. Accordingly, no confidentiality issues will normally arise under the FOIA. In the event such records or disclosures are obtained by the Federal Reserve through the examination or enforcement process, such information may be kept confidential under exemption 8 of the FOIA, which protects information contained in or related to an examination of a financial institution (5 U.S.C. 552(b)(8)).

Board of Governors of the Federal Reserve System, May 14, 2019.

**Michele Taylor Fennell,**

*Assistant Secretary of the Board.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### Submission for OMB Review; Comment Request

##### Proposed Projects

*Title:* Federal Tax Refund Offset, Administrative Offset, and Passport Denial.

*OMB No.:* 0970-0161.

*Description:* The Federal Tax Refund Offset and Administrative Offset (Federal Offset) programs collect past-due child and spousal support by intercepting certain federal payments, including federal tax refunds, of parents who have been ordered to pay support and are delinquent. The Federal Offset program is a cooperative effort among the Department of the Treasury's Bureau of the Fiscal Service, the federal Office of Child Support Enforcement (OCSE), and state child support enforcement agencies.

The Passport Denial program reports noncustodial parents who owe child

and spousal support above a threshold to the Department of State, which will then deny passports to these individuals. On an ongoing basis, child support enforcement agencies submit to OCSE the names, Social Security numbers, and the amount(s) of past-due child and spousal support of noncustodial parents who are delinquent in making payments.

The information collection activities pertaining to the Federal Tax Refund Offset, Administrative Offset, and Passport Denial programs are authorized by: (1) 42 U.S.C. 652(b), 42 U.S.C. 664, 26 U.S.C. 6402(c), 31 CFR 285.3, 45 CFR

302.60, and 45 CFR 303.72, which require state child support agencies to submit information pertaining to past-due support cases meeting specific criteria for the offset of the federal tax refund of the noncustodial parent; (2) 31 U.S.C. 3701 *et seq.*, 31 U.S.C. 3716(h), and 31 CFR 285.1, which require state child support agencies to submit information pertaining to past-due support cases meeting specific criteria for the administrative offset of federal payments other than federal tax refunds of the noncustodial parent; (3) 42 U.S.C. 652(k), 42 U.S.C. 654(31), and 22 CFR 51.60, which require state child support

agencies to submit information to OCSE pertaining to past-due support cases meeting specific criteria for the denial, revocation, restriction, or limitation of the passport of the noncustodial parent; and (4) 42 U.S.C. 654(31), 42 U.S.C. 664, 31 CFR 285.1, and 31 CFR 285.3, which require state child support agencies to submit the Annual Certification Letter to OCSE asserting that each case submitted for the Federal Tax Refund Offset, Administrative Offset, and Passport Denial programs meets federal requirements.

*Respondents:* Child Support Enforcement Agencies

ANNUAL BURDEN ESTIMATES

Information collection instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Input Record .....	54	52	.3	842.4
Output Record .....	54	52	.46	1291.7
Payment File .....	54	52	.135	379.1
Certification Letter .....	54	1	.4	21.6
Portal Processing screens .....	173	280.65	.01	485.52

*Estimated Total Burden Hours:* 3,020.

*Additional Information:* Copies of the proposed collection may be obtained by writing to the Administration for Children and Families, Office of Planning, Research and Evaluation, 330 C Street SW, Washington, DC 20201, Attention Reports Clearance Officer. All requests should be identified by the information collection. Email address: [infocollection@acf.hhs.gov](mailto:infocollection@acf.hhs.gov).

*OMB Comment:* OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**.

Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, Email: [OIRA\\_SUBMISSION@OMB.EOP.GOV](mailto:OIRA_SUBMISSION@OMB.EOP.GOV), Attn: Desk Officer for the Administration for Children and Families.

**Mary B. Jones,**

*ACF/OPRE Certifying Officer.*

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

[Docket No. FDA-2012-N-0977]

**Agency Information Collection Activities; Proposed Collection; Comment Request; Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco To Protect Children and Adolescents**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA or Agency) is announcing an opportunity for public comment on the proposed collection of certain information by the Agency. Under the Paperwork Reduction Act of 1995 (PRA), Federal Agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the information collection for the regulations restricting the sale and distribution of cigarettes and smokeless tobacco to protect children and adolescents.

**DATES:** Submit either electronic or written comments on the collection of information by July 16, 2019.

**ADDRESSES:** You may submit comments as follows. Please note that late, untimely filed comments will not be considered. Electronic comments must be submitted on or before July 16, 2019. The <https://www.regulations.gov> electronic filing system will accept comments until 11:59 p.m. Eastern Time at the end of July 16, 2019. Comments received by mail/hand delivery/courier (for written/paper submissions) will be considered timely if they are postmarked or the delivery service acceptance receipt is on or before that date.

*Electronic Submissions*

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your