

approximately 6,001 randomly selected respondents during a second survey administration. For purposes of this information collection request, NHTSA assumes that it will conduct the second administration.

For the pilot survey, a mass mailing using USPS DSF to 1,200 addresses, of which 1,140 are expected to be valid

contact addresses, is expected to reach about 250 willing respondents ages 18 and older. Respondents are expected to take 30 minutes to complete the survey (250 people, 30 minutes average length, 125 hours total).

For each survey administration, a mass mailing using USPS DSF to 28,700 addresses, of which 27,265 are expected

to be valid contact addresses, is expected to reach about 6,001 willing participants ages 18 and older. As with the pilot survey, participants are expected to take 30 minutes to complete the survey.

Table 1 provides an overview of the survey administrations.

TABLE 1—OVERVIEW OF THE SURVEY ADMINISTRATIONS

Information collection	Number of respondents	Burden per response (minutes)	Total burden hours
Pilot Survey .....	250	30	125
Survey Administration 1 .....	6,001	30	3,001
Survey Administration 2 .....	6,001	30	3,001
Total .....	12,252	.....	6,127

Since the survey administrations would occur over three years, NHTSA averaged the number of respondents responding to each of the six surveys over the three-year period to estimate that each of the surveys would have approximately 681 respondents per year. The burden estimates are based on this estimate.

NHTSA estimates that each of the six versions of the survey will have

approximately 681 respondents each year and estimates that it takes approximately 30 minutes to complete each survey. Accordingly, NHTSA estimates that each of the surveys will have a burden of 341 hours per year, for a total of 2,046 hours of annual burden for all six of the surveys.

NHTSA estimates the opportunity cost to respondents using an average hourly wage. The May 2022 mean

hourly wage for all occupations in the United States was \$29.76 per hour.<sup>2</sup> Therefore, NHTSA estimates the total annual opportunity cost to be approximately \$60,889 ( $\$29.76 \times 2,046 = \$60,888.96$ ). Table 2 provides a summary of the estimated annual burden hours and labor costs associated with those submissions.

TABLE 2—ANNUAL BURDEN ESTIMATES

Information collection	Number of respondents	Burden per response (minutes)	Hourly opportunity cost	Opportunity cost response	Total opportunity cost	Total burden hours
Survey Version 1 .....	681	30	\$29.76	\$14.88	\$10,148.16	341
Survey Version 2 .....	681	30	29.76	14.88	10,148.16	341
Survey Version 3 .....	681	30	29.76	14.88	10,148.16	341
Survey Version 4 .....	681	30	29.76	14.88	10,148.16	341
Survey Version 5 .....	681	30	29.76	14.88	10,148.16	341
Survey Version 6 .....	681	30	29.76	14.88	10,148.16	341
Total .....	.....	.....	.....	.....	60,888.96	2,046

*Estimated Total Annual Burden Cost:* Participation in this study is voluntary, and there are no costs to respondents beyond the time spent completing the questionnaires.

*Public Comments Invited:* You are asked to comment on any aspects of this information collection, including (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department’s estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity

of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Authority:* The Paperwork Reduction Act of 1995; 44 U.S.C. chapter 35, as amended; 49 CFR 1.49; and DOT Order 1351.29A.

**Nanda Narayanan Srinivasan,**  
Associate Administrator, Research and Program Development.

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**DEPARTMENT OF THE TREASURY**

**Office of the Comptroller of the Currency**

**Agency Information Collection Activities: Information Collection Renewal; Submission for OMB Review; Fair Credit Reporting; Affiliate Marketing**

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

**ACTION:** Notice and request for comment.

**SUMMARY:** The OCC, as part of its continuing effort to reduce paperwork

<sup>2</sup> U.S. Bureau of Labor Statistics. (2023, April 25). *May 2022 National Occupational Employment and*

*Wage Estimates.* U.S. Bureau of Labor Statistics.

[https://www.bls.gov/oes/current/oes\\_nat.htm#00-0000](https://www.bls.gov/oes/current/oes_nat.htm#00-0000).

and respondent burden, invites comment on a continuing information collection, as required by the Paperwork Reduction Act of 1995 (PRA). In accordance with the requirements of the PRA, the OCC 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. The OCC is soliciting comment concerning the renewal of its information collection titled, "Fair Credit Reporting: Affiliate Marketing." The OCC also is giving notice that it has sent the collection to OMB for review.

**DATES:** Comments must be received by August 28, 2024.

**ADDRESSES:** Commenters are encouraged to submit comments by email, if possible. You may submit comments by any of the following methods:

- *Email:* [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov).
- *Mail:* Chief Counsel's Office,

Attention: Comment Processing, Office of the Comptroller of the Currency, Attention: 1557-0230, 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Hand Delivery/Courier:* 400 7th Street SW, Suite 3E-218, Washington, DC 20219.

- *Fax:* (571) 293-4835.

**Instructions:** You must include "OCC" as the agency name and "1557-0230" in your comment. In general, the OCC will publish comments on [www.reginfo.gov](http://www.reginfo.gov) without change, including any business or personal information provided, such as name and address information, email addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

Written comments and recommendations for the proposed information collection should also be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). You can find this information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

You may review comments and other related materials that pertain to this information collection following the close of the 30-day comment period for this notice by the method set forth in the next bullet.

- **Viewing Comments Electronically:** Go to [www.reginfo.gov](http://www.reginfo.gov). Hover over the

"Information Collection Review" tab and click on "Information Collection Review" from the drop-down menu. From the "Currently under Review" drop-down menu, select "Department of Treasury" and then click "submit." This information collection can be located by searching OMB control number "1557-0230" or "Fair Credit Reporting: Affiliate Marketing." Upon finding the appropriate information collection, click on the related "ICR Reference Number." On the next screen, select "View Supporting Statement and Other Documents" and then click on the link to any comment listed at the bottom of the screen.

- For assistance in navigating [www.reginfo.gov](http://www.reginfo.gov), please contact the Regulatory Information Service Center at (202) 482-7340.

**FOR FURTHER INFORMATION CONTACT:**

Shaquita Merritt, Clearance Officer, (202) 649-5490, Chief Counsel's Office, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501 *et seq.*), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. The OCC asks the OMB to extend its approval of the collection in this notice.

**Title:** Fair Credit Reporting: Affiliate Marketing.

**OMB Control No.:** 1557-0230.

**Type of Review:** Regular.

**Description:** Section 214 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act),<sup>1</sup> which added section 624 to the Fair Credit Reporting Act (FCRA),<sup>2</sup> generally prohibits a person from using certain information received from an affiliate to solicit a consumer for marketing purposes, unless the consumer is given notice and an opportunity and simple method to opt out of such solicitations.

Twelve CFR 1022.20-1022.27 require financial institutions to issue notices informing consumers about their rights under section 214 of the FACT Act. Consumers use the notices to decide if they want to receive solicitations for marketing purposes or opt out.

<sup>1</sup> Public Law 108-159, 117 Stat. 1952 (December 4, 2003).

<sup>2</sup> 15 U.S.C. 1681 *et seq.*

Financial institutions use consumers' opt-out responses to determine the permissibility of making a solicitation for marketing purposes.

If a person receives certain consumer eligibility information from an affiliate, the person may not use that information to solicit the consumer about its products or services, unless the consumer is given notice and a simple method to opt out of such use of the information, and the consumer does not opt out. Exceptions include a person using eligibility information: (1) to make solicitations to a consumer with whom the person has a pre-existing business relationship; (2) to perform services for another affiliate subject to certain conditions; (3) in response to a communication initiated by the consumer; or (4) to make a solicitation that has been authorized or requested by the consumer. A consumer's affiliate marketing opt-out election must be effective for a period of at least five years. Upon expiration of the opt-out period, the consumer must be given a renewal notice and an opportunity to renew the opt-out before information received from an affiliate may be used to make solicitations to the consumer.

**Affected Public:** Businesses or other for-profit.

**Estimated Frequency of Response:** On occasion.

**Estimated Number of Respondents:** 97,723.

**Estimated Total Annual Burden:** 10,281 hours.

**Comments:** On May 24, 2024, the OCC published a 60-day notice for this information collection, (89 FR 45938). No comments were received.

Comments continue to be invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the OCC, including whether the information has practical utility;

(b) The accuracy of the OCC's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Patrick T. Tierney,**

*Assistant Director, Office of the Comptroller of the Currency.*

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