

customarily and actually treated as private by the respondents (5 U.S.C. 552(b)(4)). Additionally, individual respondents may request that personally identifiable information be afforded confidential treatment pursuant to exemption 6 of the FOIA if the release of the information would constitute a clearly unwarranted invasion of personal privacy (5 U.S.C. 552(b)(6)). The applicability of the FOIA exemptions 4 and 6 would be determined on a case-by-case basis.

**Current actions:** On December 2, 2020, the Board, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency (collectively, “the agencies”) published an interim final rule (IFR) in the **Federal Register**<sup>14</sup> permitting certain banking organizations to use asset data as of December 31, 2019, in order to determine the applicability of various regulatory asset thresholds during calendar years 2020 and 2021. In connection with the IFR, the Board temporarily revised the instructions for the FR Y-9C, FR Y-9LP, FR 2314/2314S, FR Y-7N/7NS and FR Y-11/11S in order to provide similar temporary relief with regard to reporting requirements. The Board also requested public comment for 60 days on an extension for three years of these collections. Under the proposal, the proposed revisions to these information collections would have remained in effect through December 31, 2021, consistent with the length of the regulatory relief provided by the IFR.

The Board did not receive any comments relevant to the PRA and has adopted the extension of the FR Y-9C, FR Y-9LP, FR 2314, FR 2314S, FR Y-7N, FR Y-7NS, FR Y-11 and FR Y-11S for three years, with revision, as originally proposed, with one minor clarification. Specifically, one commenter sought clarification of the total asset amounts reported and used in calculations related to certain qualifying criteria for the community bank leverage ratio (“CBLR”) framework. Consistent with the clarifications to the Consolidated Reports of Condition and Income (Call Reports, OMB No. 7100-0036), the Board is clarifying the FR Y-9C instructions to reflect that a holding company should continue to use its total as reported in FR Y-9C Schedule HC, item 12, as of the current quarter-end report date when reporting other qualifying criteria for the CBLR framework (that is, the sum of trading assets and trading liabilities as a percentage of total assets in Schedule HC-R, item 33, column B, and total off-

balance sheet exposures as a percentage of total assets in Schedule HC-R, Part I, item 34.d, column B).

The Board and the other agencies have received comments on the IFR. In order to implement reporting changes related to the IFR prior to the expiration of the temporarily approved revisions, the Board has adopted this proposal under the PRA pending review of comments on the IFR. If the Board modifies the IFR through the adoption of a final rule regarding temporary asset threshold relief, the Board would adopt appropriate additional revisions to the FR Y-9C, FR Y-9LP, FR 2314, FR 2314S, FR Y-7N, FR Y-7NS, FR Y-11 or FR Y-11S reports through a separate PRA process.

Board of Governors of the Federal Reserve System, May 20, 2021.

**Michele Taylor Fennell,**

*Deputy Associate Secretary of the Board.*

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**BILLING CODE 6210-01-P**

## FEDERAL RESERVE SYSTEM

### Agency Information Collection Activities: Announcement of Board Approval Under Delegated Authority and Submission to OMB

**AGENCY:** Board of Governors of the Federal Reserve System.

**SUMMARY:** The Board of Governors of the Federal Reserve System (Board) is adopting a proposal to extend for three years, without revision, the Interagency Guidance on Managing Compliance and Reputation Risks for Reverse Mortgage Products (FR 4029; OMB No. 7100-0330).

#### FOR FURTHER INFORMATION CONTACT:

Federal Reserve Board Clearance Officer—Nuha Elmaghrabi—Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, Washington, DC 20551, (202) 452-3829.

Office of Management and Budget (OMB) Desk Officer—Shagufta Ahmed—Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street NW, Washington, DC 20503, or by fax to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** On June 15, 1984, OMB delegated to the Board authority under the PRA to approve and assign OMB control numbers to collections of information conducted or sponsored by the Board. Board-approved collections of information are incorporated into the official OMB

inventory of currently approved collections of information. The OMB inventory, as well as copies of the PRA Submission, supporting statements, and approved collection of information instrument(s) are available at <https://www.reginfo.gov/public/do/PRAMain>. These documents are also available on the Federal Reserve Board's public website at <https://www.federalreserve.gov/apps/reportforms/review.aspx> or may be requested from the agency clearance officer, whose name appears above.

### Final Approval Under OMB Delegated Authority of the Extension for Three Years, Without Revision, of the Following Information Collection:

**Report title:** Interagency Guidance on Managing Compliance and Reputation Risks for Reverse Mortgage Products.

**Agency form number:** FR 4029.

**OMB control number:** 7100-0330.

**Frequency:** Annually.

**Respondents:** State member banks that originate proprietary reverse mortgages.

**Estimated number of respondents:** Implementation of policies and procedures, 1; Review and maintenance of policies and procedures, 7.

**Estimated average hours per response:** Implementation of policies and procedures, 40; Review and maintenance of policies and procedures, 8.

**Estimated annual burden hours:** Implementation of policies and procedures, 40; Review and maintenance of policies and procedures, 56.

**General description of report:** The reverse mortgage guidance discusses the reporting, recordkeeping, and disclosures required by federal laws and regulations and also discusses consumer disclosures that financial institutions typically provide as a standard business practice.

**Legal authorization and confidentiality:** The information collection is authorized pursuant to the Board's examination authority, which is located in section 11 of the Federal Reserve Act for state member banks.<sup>1</sup>

<sup>1</sup> 12 U.S.C. 248. Although there is no information indicating that Federal Reserve-supervised financial institutions other than state member banks originate reverse mortgage loans, this collection would be authorized by sections 25 and 25A of the Federal Reserve Act (12 U.S.C. 602, 625) for Edge and Agreement corporations and by section 5 of the Bank Holding Company Act of 1956 (12 U.S.C. 1844) for bank holding companies as well as, in conjunction with section 8 of the International Banking Act of 1978 (12 U.S.C. 3106), for foreign banking organizations. The information collection would be authorized by the examination authority in section 7(c) of the International Banking Act (12

<sup>14</sup> 85 FR 77345 (December 2, 2020).

The guidance is voluntary. Because the documentation encouraged by the guidance is maintained by each institution, the Freedom of Information Act (FOIA) would only be implicated if the Board obtained such records as part of the examination or supervision of a banking organization. In the event the records are obtained by the Board as part of the examination or supervision of a financial institution, this information may be considered confidential pursuant to exemption 8 of the FOIA, which protects information contained in “examination, operating, or condition reports” obtained in the bank supervisory process.<sup>2</sup> In addition, the information may also be kept confidential under exemption 4 of the FOIA, which protects trade secrets and commercial or financial information that is both customarily and actually treated as private by the respondent.<sup>3</sup>

**Current actions:** On February 17, 2021, the Board published an initial notice in the **Federal Register** (86 FR 9940) requesting public comment for 60 days on the extension, without revision, of the FR 4029. The comment period for this notice expired on April 19, 2021. The Board did not receive any comments. The Board will adopt the extension, without revision, of the FR 4029 as originally proposed.

Board of Governors of the Federal Reserve System, May 20, 2021.

**Michele Taylor Fennell,**

*Deputy Associate Secretary of the Board.*

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## FEDERAL TRADE COMMISSION

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

**AGENCY:** Federal Trade Commission (“FTC” or “Commission”).

**ACTION:** Notice.

**SUMMARY:** The information collection requirements described below will be submitted to the Office of Management and Budget (“OMB”) for review, as required by the Paperwork Reduction Act (“PRA”). The FTC seeks public comments on a proposed amendment to its previously approved information requests sent pursuant to compulsory process to the largest domestic cigarette

manufacturers. The additional information sought consists of the annual sales, give aways, and marketing expenditures for electronic devices used to heat non-combusted cigarette products. The current FTC clearance from OMB to collect information from cigarette manufacturers expires December 31, 2023.

**DATES:** Comments on the proposed information requests must be received on or before June 25, 2021.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function. The [reginfo.gov](http://reginfo.gov) web link is a United States Government website produced by OMB and the General Services Administration (GSA). Under PRA requirements, OMB’s Office of Information and Regulatory Affairs (OIRA) reviews Federal information collections.

**FOR FURTHER INFORMATION CONTACT:** Michael Ostheimer, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Mailstop CC–10507, Washington, DC 20580, (202) 326–2699.

#### SUPPLEMENTARY INFORMATION:

**Title:** FTC Cigarette and Smokeless Tobacco Data Collection.

**OMB Control Number:** 3084–0134.

**Type of Review:** Amendment of a currently approved collection.

On June 25, 2020, the FTC sought public comment on the information collection requirements associated with the Cigarette and Smokeless Tobacco Data Collection. 85 FR 38139. On October 23, 2020, the FTC provided a second opportunity for public comment while seeking OMB approval to renew the pre-existing clearance for the Cigarette and Smokeless Tobacco Data Collection. 85 FR 67541. On December 14, 2020, OMB approved the proposed information collection through December 31, 2023.

In response to the June 25, 2020 Notice, the Commission received a comment from Truth Initiative that among other things recommended that the Commission collect information regarding heated tobacco products with its cigarette Orders. In the October 23, 2020 Notice, the Commission agreed “that heated, non-combusted tobacco products [we]re an important emerging segment of the tobacco market” and stated that it would “monitor these

products and . . . consider whether and how best to collect information about these products when the market has further developed to make such information collection warranted.”

The Commission now believes that a narrow collection of information related to heated, non-combusted tobacco products is warranted. Heated, non-combusted cigarettes already fall within the definition of cigarettes, which are covered by the currently approved information collection. The electronic devices in which such cigarettes are heated do not fall within the definition of cigarettes, and thus are not covered by the approved information collection.

The Commission proposes asking each cigarette manufacturing recipient to state whether it sold heated, non-combusted, cigarettes during a calendar year, and if so to report for the calendar year, the net number of heating devices designed to be used with heated cigarettes that it sold in the United States, the net dollar value of such devices sold, the net number of such devices it gave away in the United States, and the total amount it expended on the advertising, merchandising, or promotion in the United States of such devices. With its next annual information collection from cigarette manufacturing recipients in early 2022, the Commission proposes to collect this additional information for 2019, 2020, and 2021.

The FTC’s understanding of the overall market for nicotine-based products is incomplete without more information regarding heated, non-combusted cigarettes and the corresponding devices. For example, the information could assist the Commission in conducting a study of the sales and marketing of these devices. Thus, the proposed addition will assist the Commission in closing this gap in our understanding.

#### Burden Statement

**Estimated Annual Burden:** 106 hours.

**Estimated Number of Respondents:** Ten 6(b) recipients (maximum).<sup>1</sup>

<sup>1</sup> Since three and possibly more of the cigarette manufacturing 6(b) recipients are parent companies that have separately incorporated subsidiaries or affiliates that the FTC anticipates or expects that the parent companies will transmit the collection instrument to and seek information from, the proposal to send up to ten 6(b) Orders could equate to 15 “persons” under the PRA. See 5 CFR 1320.3(c)(4) (“[ten or more persons] . . . refers to the persons to whom a collection of information is addressed by the agency within any 12-month period, and to any independent entities to which the initial addressee may reasonably be expected to transmit the collection of information during that period, including . . . separately incorporated subsidiaries or affiliates.”).

U.S.C. 3105(c)) for branches and agencies of foreign banks and by section 10 of the Home Owners’ Loan Act (12 U.S.C. 1467a) for savings and loan holding companies.

<sup>2</sup> 5 U.S.C. 552(b)(8).

<sup>3</sup> 5 U.S.C. 552(b)(4).