

(B) In any local market in which a satellite carrier commences local-into-local service after December 8, 2004, at least 60 days prior to the commencement of service in that market, and thereafter at least 60 days prior to any date on which the station must thereafter make an election under § 76.66(c) or (d)(2), identify each affiliate of the same television network that the carrier reserves the right to retransmit into that station's local market during the next election cycle.

47 CFR Section 76.66 (f)(3) states except as provided in 76.66(d)(2), a satellite carrier providing local-into-local service must notify local television stations of the location of the receive facility by June 1, 2001 for the first election cycle and at least 120 days prior to the commencement of all election cycles thereafter.

47 CFR Section 76.66 (f)(4) states a satellite carrier may relocate its local receive facility at the commencement of each election cycle. A satellite carrier is also permitted to relocate its local receive facility during the course of an election cycle, if it bears the signal delivery costs of the television stations affected by such a move. A satellite carrier relocating its local receive facility must provide 60 days notice to all local television stations carried in the affected television market.

47 CFR Section 76.66 (h)(5) states a satellite carrier shall provide notice to its subscribers, and to the affected television station, whenever it adds or deletes a station's signal in a particular local market pursuant to this paragraph.

47 CFR 76.66 (m)(1) states whenever a local television broadcast station believes that a satellite carrier has failed to meet its obligations under this section, such station shall notify the carrier, in writing, of the alleged failure and identify its reasons for believing that the satellite carrier failed to comply with such obligations.

47 CFR 76.66 (m)(2) states the satellite carrier shall, within 30 days after such written notification, respond in writing to such notification and comply with such obligations or state its reasons for believing that it is in compliance with such obligations.

47 CFR 76.66 (m)(3) states a local television broadcast station that disputes a response by a satellite carrier that it is in compliance with such obligations may obtain review of such denial or response by filing a complaint with the Commission, in accordance with § 76.7 of title 47, Code of Federal Regulations. Such complaint shall allege the manner in which such satellite carrier has failed to meet its obligations and the basis for such allegations.

47 CFR 76.66 (m)(4) states the satellite carrier against which a complaint is filed is permitted to present data and arguments to establish that there has been no failure to meet its obligations under this section.

Non-rule requirement: Satellite carriers must immediately commence carriage of the digital signal of a television station that ceases analog broadcasting prior to the February 17, 2009 transition deadline provided that the broadcaster notifies the satellite carrier on or before October 1, 2008 of the date on which they anticipate termination of their analog signal.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary, Office of the Secretary, Office of Managing Director.*

[FR Doc. 2011-6905 Filed 3-23-11; 8:45 am]

**BILLING CODE 6712-01-P**

## **FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL**

[Docket No. AS11-08]

### **Statutory Provisions Affecting State Appraiser Regulatory Programs**

**AGENCY:** Appraisal Subcommittee (ASC) of the Federal Financial Institutions Examination Council.

**ACTION:** Notice of Statutory Provisions Affecting State Appraiser Regulatory Programs.

**SUMMARY:** The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act) contains a number of provisions addressing the authority of the Appraisal Subcommittee (ASC) and requirements for States' appraiser regulatory programs. The ASC is issuing Bulletin No. 2011-01 to provide information to the State appraiser regulatory officials on certain changes to the ASC's review process for monitoring State Appraiser Regulatory Programs which will be implemented July 1, 2011, and the statutory provisions that States must implement by July 1, 2013. To provide sufficient time for States to amend their rules, regulations, or operating procedures, the ASC is providing States with a two-year implementation period for requirements addressed in the bulletin.

**DATES:** *Effective Date:* July 1, 2013 for States' Implementation of Statutory Provisions; July 1, 2011 for Revisions to the ASC's State Compliance Review Process.

**FOR FURTHER INFORMATION CONTACT:** James R. Park, Executive Director, at

(202) 595-7575, or Alice M. Ritter, General Counsel, at (202) 595-7577, via Internet e-mail at [jim@asc.gov](mailto:jim@asc.gov) and [alice@asc.gov](mailto:alice@asc.gov), respectively, or by U.S. Mail at Appraisal Subcommittee, 1401 H Street, NW., Suite 760, Washington, DC 20005.

**SUPPLEMENTARY INFORMATION:** The ASC issued the following Bulletin 2011-01, Statutory Provisions Affecting State Appraiser Regulatory Programs, on March 18, 2011.

The Appraisal Subcommittee (ASC) is issuing this Bulletin to State Appraiser Regulatory Officials to provide information on compliance with certain provisions in the Dodd-Frank Act. The Dodd-Frank Act amended several sections of Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA Title XI). This Bulletin addresses the following provisions:

- Reciprocity.
- Qualification requirements for State licensed appraisers.
- Minimum requirements for trainee appraisers and supervisory appraisers.
- Course approval program of the Appraisal Foundation's Appraiser Qualifications Board (AQB).
- ASC monitoring of funding and staff resources available to State appraiser regulatory programs (State Programs).

This Bulletin outlines changes to the ASC's process for monitoring State Programs, the requirements that States must implement, with statutory references, as well as the effective dates for compliance. Recognizing States may need to amend their rules and/or regulations, or revise their operating procedures, the ASC is providing States with a two-year implementation period for certain of the above the provisions. As part of its State Compliance Review Process, the ASC will continue to evaluate State Programs for compliance with FIRREA Title XI and the ASC Policy Statements, including those that cover topics addressed in the Dodd-Frank Act.

### **Provisions With a Two-Year Implementation Period**

Effective July 1, 2013, the ASC will begin reviewing State Programs for compliance with the following three requirements. Over the next two years, the ASC will monitor States' efforts to implement the requirements.

- *Reciprocity:* Provisions of the Dodd-Frank Act require States to have in place a policy for issuing a reciprocal certification or license to an appraiser from another State under specific conditions. Moreover, a Federally regulated financial institution may not

engage a certified or licensed appraiser to perform an appraisal of a property for a Federally related transaction unless the State wherein the appraiser is credentialed has such a reciprocity policy in place. The State's reciprocity policy must meet the following conditions:

1. The appraiser licensing and certification program of the other State is in compliance with the provisions of FIRREA Title XI; and

2. The appraiser holds a valid certification from a State with requirements for certification or licensing that meet or exceed the certification and licensure standards established by the State where an individual seeks reciprocity.

**Statutory and Policy References:** FIRREA Title XI § 1122(b), 12 U.S.C. 3351, as amended by the Dodd-Frank Act; FIRREA Title XI § 1122(b), 12 U.S.C. 3351; ASC Policy Statement 6.

- **Certification and Licensing Requirements for State licensed appraisers:** The Dodd-Frank Act defines a "State licensed appraiser" as an individual who has satisfied the requirements for State licensing in a State with criteria for the licensing of a real estate appraiser currently that meet or exceed the minimum criteria issued by the AQB for the licensing of real estate appraisers. Therefore, if a State has a licensed category, the minimum qualification criteria issued by the AQB is mandatory.

**Statutory Reference:** FIRREA Title XI § 1116(c), 12 U.S.C. 3345, as amended by the Dodd-Frank Act. *See also* AQB Real Property Appraiser Qualification Criteria.

- **Certification and Licensing Requirements—Minimum Qualification Requirements:** The Dodd-Frank Act mandates that any minimum qualification requirements established by a State for individuals in the position of "Trainee Appraiser" and "Supervisory Appraiser" must meet or exceed the minimum qualification requirements of the AQB.

**Statutory Reference:** FIRREA Title XI § 1116(e), 12 U.S.C. 3345, as amended by the Dodd-Frank Act. *See also* AQB Real Property Appraiser Qualification Criteria.

The AQB's minimum qualification criteria may be subject to amendment from time to time by the AQB and is available at the Appraisal Foundation's Web site under the "Qualifications" tab referencing "Real Property Criteria." (<http://www.appraisalfoundation.org>)

## Revisions to State Compliance Review Process

While the Dodd-Frank Act contains a number of mandates addressing the authority and responsibilities of the ASC, the ASC is now formally incorporating the following two requirements into its State Compliance Review process. The revisions take effect on July 1, 2011, and do not necessarily require States to revise rules and/or regulations. States that will need to revise rules and/or regulations should advise the ASC as soon as possible.

- The Dodd-Frank Act requires the ASC to encourage States to accept courses approved by the AQB Course Approval Program. While the ASC currently reviews States' practices in this area as part of the Compliance Review process, the ASC will formally ask a State whether or not the State uses the AQB Course Approval Program as part of a Compliance Review conducted after July 1, 2011. Accordingly, the ASC will continue to encourage States to accept courses approved by the AQB Course Approval Program.

**Statutory References:** FIRREA Title XI § 1122(h), 12 U.S.C. 3351, as amended by the Dodd-Frank Act.

- The Dodd-Frank Act requires the ASC to monitor a State Program for the purposes of determining whether a State has policies, practices, procedures, funding, and staffing consistent with the purpose of FIRREA Title XI. The ASC's longstanding practice is to monitor the adequacy of a State Program's policies, practices and procedures. Recently, the ASC has been requesting funding and staffing data for State Programs as part of the Compliance Review process and will formally request the information from State Programs for Compliance Reviews conducted after July 1, 2011.

**Statutory References:** FIRREA Title XI § 1118(a), 12 U.S.C. 3347, as amended by the Dodd-Frank Act.

For further information, contact James R. Park, Executive Director, at (202) 595-7575 or [Jim@ASC.gov](mailto:Jim@ASC.gov), or Alice M. Ritter, General Counsel, at (202) 595-7577 or [Alice@ASC.gov](mailto:Alice@ASC.gov).

By the Appraisal Subcommittee.

Dated: March 18, 2011.

**Deborah S. Merkle,**

*Chairman.*

[FR Doc. 2011-6969 Filed 3-23-11; 8:45 am]

**BILLING CODE P**

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Meeting

**TIME AND DATE:** 2 p.m., Thursday, March 31, 2011.

**PLACE:** The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will hear oral argument in the matter *Secretary of Labor v. Cumberland Coal Resources, LP*, Docket No. PENN 2008-189. (Issues include whether the judge erred in determining that four violations of 30 CFR 75.380(d)(7)(iv), which requires effective escapeway lifelines, were not "significant and substantial.") Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

**CONTACT PERSON FOR MORE INFO:** Jean Ellen (202) 434-9950/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Dated: March 18, 2011.

**Emogene Johnson,**

*Administrative Assistant.*

[FR Doc. 2011-7130 Filed 3-22-11; 4:15 pm]

**BILLING CODE 6735-01-P**

## FEDERAL RESERVE SYSTEM

### Notice of Proposals To Engage in Permissible Nonbanking Activities or To Acquire Companies That Are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y, (12 CFR part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of