

*Department sponsoring the collection:* The form number is CIV SF 95. The applicable component within the Department of Justice is the Civil Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Other: Businesses or other for-profit, Non-for-profit institutions, and State, Local, or Tribal Governments. Abstract: This form is used by those persons making a claim against the United States Government under the Federal Tort Claims Act.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that there will be 100,000 respondents who will each require 6 hours to respond.

6. *An estimate of the total public burden (in hours) associated with the collection:* The total estimated annual burden hours to complete the certification form is 600,000 hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: May 19, 2021.

**Melody Braswell,**

*Department Clearance Officer for PRA, U.S. Department of Justice.*

[FR Doc. 2021-10966 Filed 5-24-21; 8:45 am]

**BILLING CODE 4410-12-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### State All Payer Claims Databases Advisory Committee—Notice of Virtual Meeting

**AGENCY:** Employee Benefits Security Administration (EBSA), Department of Labor (DOL).

**ACTION:** Notice.

**SUMMARY:** This notice announces the second meeting of the State All Payer Claims Databases Advisory Committee (hereinafter the Committee). This notice provides information to members of the public who may be interested in attending the meeting or providing written comments related to the work of the Committee. Notice of this meeting is required under the Federal Advisory Committee Act (FACA).

**DATES:** The second meeting of the State All Payer Claims Databases Advisory

Committee will be held virtually on June 11, 2021.

1. *Deadline for Registration without Oral Presentation: June 9, 2021.*

Individuals can register for the meeting by visiting the Committee website: <https://www.dol.gov/agencies/ebsa/about-ebsa/about-us/state-all-payer-claims-databases-advisory-committee>.

2. *Deadline for Registration of Oral Presentations: June 7, 2021.* Requests should be submitted by email to [SAPCDAC@dol.gov](mailto:SAPCDAC@dol.gov).

3. *Deadline for Submission of Oral Remarks and Written Comments: June 7, 2021.* Remarks and comments should be submitted by email to [SAPCDAC@dol.gov](mailto:SAPCDAC@dol.gov).

4. *Deadline for Requesting Special Accommodations: June 7, 2021.* Requests should be submitted by email to [SAPCDAC@dol.gov](mailto:SAPCDAC@dol.gov).

**ADDRESSES:** The meeting will be held via webinar. The webinar link and login information will be available at DOL's Committee website: <https://www.dol.gov/agencies/ebsa/about-ebsa/about-us/state-all-payer-claims-databases-advisory-committee>.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Schumacher, Designated Federal Officer, EBSA, DOL, by sending an email to [SAPCDAC@dol.gov](mailto:SAPCDAC@dol.gov). For press inquiries please contact Grant Vaught, Office of Public Affairs, DOL at 202-693-4672.

**SUPPLEMENTARY INFORMATION:** The Committee is mandated by section 735 of the Employee Retirement Income Security Act of 1974 as added by section 115(b) of the No Surprises Act, enacted as part of the Consolidated Appropriations Act, 2021, div. BB, tit. I, Public Law 116-260 (Dec. 27, 2020). The Committee is governed by the provisions of the FACA, as amended, 5 U.S.C. App. 2.

The Committee will advise the Secretary of Labor on the standardized reporting format for the voluntary reporting by group health plans to State All Payer Claims Databases. Reporting will include medical claims, pharmacy claims, dental claims, and eligibility and provider files collected from private and public payers. The Committee will also advise the Secretary on what guidance is necessary to provide to States on the process by which States may collect such data in the standardized reporting format.

The Committee will be responsible for issuing a report that includes recommendations on the establishment of the format and guidance to the Secretary of Labor and certain congressional committees no later than 180 days after the date of enactment of

the Consolidated Appropriations Act, 2021.

The second meeting of the Committee will be held on June 11, 2021 via webinar. The meeting will begin at 9:30 a.m. and end at approximately 5:00 p.m., with a one hour break for lunch. The meeting will focus on the various issues related to all payer claims databases as well as a general discussion of the work plan for the report that must be submitted by the committee. Additional details about the agenda items and topics, as well as agenda updates, will be available at on the Committee's website: <https://www.dol.gov/agencies/ebsa/about-ebsa/about-us/state-all-payer-claims-databases-advisory-committee>.

Dated: May 19, 2021.

**Ali Khawar,**

*Acting Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor.*

[FR Doc. 2021-10930 Filed 5-24-21; 8:45 am]

**BILLING CODE 4510-29-P**

## NATIONAL CAPITAL PLANNING COMMISSION

### Revised Adopted Submission Guidelines

**AGENCY:** National Capital Planning Commission.

**ACTION:** Notice of final adoption and effective date.

**SUMMARY:** At its May 6, 2021 monthly meeting, the National Capital Planning Commission (NCPC or Commission) adopted revised Submission Guidelines related to concept review of Master Plans and the purpose, need, and timing of an Information Presentations. The amended guidelines recommend an early concept review of complex master plans to ensure timely input from the Commission before a master plan advances to draft and final review. The amendments regarding Information Presentations identify the types of projects for which an Information Presentation is advisable and establish the appropriate timing for the presentation. Federal and non-federal agency applicants whose development proposals and plans are subject to statutory mandated Commission plan and project review must submit their proposals to the Commission following a process laid out in the Submission Guidelines.

**DATES:** The revised Submission Guidelines will become effective June 24, 2021.

**ADDRESSES:** The revised adopted Submission Guidelines are available online at: [https://www.ncpc.gov/docs/Submission\\_Guidelines\\_May2021.pdf](https://www.ncpc.gov/docs/Submission_Guidelines_May2021.pdf).  
**FOR FURTHER INFORMATION CONTACT:** Matt Flis at (202) 482-7236 or [info@ncpc.gov](mailto:info@ncpc.gov).

**Authority:** 40 U.S.C. 8721(e)(2).

Dated: May 19, 2021.

Anne R. Schuyler,  
 General Counsel.

[FR Doc. 2021-10954 Filed 5-24-21; 8:45 am]

**BILLING CODE P**

## NATIONAL CREDIT UNION ADMINISTRATION

[NCUA-2021-0038]

### Policy for Setting the Normal Operating Level

**AGENCY:** National Credit Union  
 Administration (NCUA).

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

**SUMMARY:** The NCUA Board (Board) is requesting public comments on the policy to set the National Credit Union Share Insurance Fund (Insurance Fund) Normal Operating Level.

**DATES:** Comments must be received on or before July 26, 2021.

**ADDRESSES:** You may submit comments by any one of the following methods (Please send comments by one method only):

- *Federal eRulemaking Portal:* Follow the instructions for submitting comments for NCUA-2021-0038.
- *Fax:* (703) 518-6319. Include “[Your name]—Comments on Policy for Setting the Normal Operating Level” in the subject line.
- *Mail:* Address to Melane Conyers-Ausbrooks, Secretary of the Board, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428.
- *Hand Delivery/Courier:* Same as mailing address.

*Public Inspection:* You may view all public comments as submitted on the Federal eRulemaking Portal, except for those we cannot post for technical reasons. The NCUA will not edit or remove any identifying or contact information from the public comments submitted. Due to social distancing guidelines, the usual opportunity to inspect paper copies of comments in the NCUA’s law library is not currently available. After social distancing measures are relaxed, visitors may make an appointment to review paper copies by calling (703) 518-6540 or emailing [OGCMail@ncua.gov](mailto:OGCMail@ncua.gov).

**FOR FURTHER INFORMATION CONTACT:** Russell Moore or Amy Ward, Risk

Analysis Officers, Office of Examination and Insurance, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314 or telephone: (703) 518-6383 or (703) 819-1770.

## SUPPLEMENTARY INFORMATION

### I. Background

On September 28, 2017, the Board approved the following actions:<sup>1</sup>

- Closing the Temporary Corporate Credit Union Stabilization Fund (Stabilization Fund) and distributing its funds, property, and other assets and liabilities to the Insurance Fund, effective October 1, 2017.
- Setting the Normal Operating Level of the Insurance Fund to 1.39 percent, effective September 28, 2017.
- Adopting the policy for setting the Normal Operating Level, as outlined below.

#### *Policy for Setting the Normal Operating Level*

The policy for setting the Normal Operating Level adopted in 2017 established a periodic review of the equity needs of the Insurance Fund, the results of which are to be communicated to stakeholders.<sup>2</sup> At least annually, NCUA staff will review the level at which the NOL is set and report this information to the Board. Board action is only necessary when a change in the NOL is determined to be warranted. The policy establishes that any change to the Normal Operating Level of more than one basis point<sup>3</sup> shall be made only after a public announcement of the proposed adjustment and opportunity for comment. Further, in soliciting comment, the NCUA will issue a public report, including data supporting the proposal. The policy establishes the following objectives that the Board will seek to satisfy when setting the Normal Operating Level:

- Retain public confidence in federal share insurance;
- Prevent impairment of the one percent contributed capital deposit;<sup>4</sup> and
- Ensure the Insurance Fund can withstand a moderate recession without

<sup>1</sup> 82 FR 42298 (Oct. 4, 2017).

<sup>2</sup> As noted, the Board adopted this policy for setting the Normal Operating Level in 2017. The Board emphasizes that, as a general statement of the NCUA’s policy regarding setting the Normal Operating Level, the Board is not required to follow the notice-and-comment rulemaking process when revising this policy. See 5 U.S.C. 553(b)(3)(a). Nevertheless, the Board is voluntarily soliciting public input on this policy.

<sup>3</sup> One basis point is one hundredth of one percent.

<sup>4</sup> Federally insured credit unions are required to maintain a deposit equal to one percent of their insured shares with the Insurance Fund. 12 U.S.C. 1782(c)(1)(A)(i).

the equity ratio declining below 1.20 percent over a five-year period.

The current economic landscape and pending resolution of the obligations associated with the corporate credit union asset management estates and NCUA Guaranteed Notes (NGN) Program discussed later in this document warrant that the NCUA re-evaluate the current Normal Operating Level policy.

### II. Legal Authority

Per the Federal Credit Union Act (Act), the Normal Operating Level is an equity ratio set by the Board and may not be less than 1.20 percent and not more than 1.50 percent.<sup>5</sup> The Board has historically set the Normal Operating Level as the target equity ratio for the Insurance Fund.

The Insurance Fund’s calendar year-end equity ratio is part of the statutory basis to determine whether the NCUA must make a distribution to insured credit unions.<sup>6</sup> The Act states the Board shall effect a pro rata distribution to insured credit unions after each calendar year if, as of the end of that calendar year—

- Any loans to the Fund from the Federal Government, and any interest on those loans, have been repaid;
- The Fund’s equity ratio exceeds the Normal Operating Level; and
- The Fund’s available assets ratio exceeds 1.0 percent.<sup>7</sup>

The provisions of the Act are implemented at 12 CFR part 741 of the NCUA’s regulations.

### III. Current Normal Operating Level Methodology and Process

To implement the current approved policy, the NCUA developed a calculation based on projections related to the following factors:

- The modeled performance of the Insurance Fund over a five-year period, assuming a moderate recession. The stress scenario entails estimating three primary drivers of outcomes: insurance losses, insured share growth, and yield on investments. The NCUA’s analysis is based on the Federal Reserve’s adverse economic scenario; however, the Federal Reserve did not publish an adverse scenario in 2020 or 2021. This necessitates the NCUA develop an adverse scenario based on the Federal Reserve’s published baseline and severely adverse scenarios.

<sup>5</sup> 12 U.S.C. 1782(h)(4).

<sup>6</sup> The equity ratio is also part of the statutory basis for determining whether a premium or Insurance Fund restoration plan is necessary.

<sup>7</sup> 12 U.S.C. 1782(c)(3). This section is also subject to 12 U.S.C. 1790e(e).