

circumstances that may affect any relief granted pursuant to section 140.99(e), and complying with notice and other conditions that may be contained in grant of exemptive or no-action relief issued by staff; and preparing and submitting withdrawals of requests for exemptive, no-action, and interpretative letters pursuant to section 140.99(f). The estimates also include burden hours for preparing a confidential treatment

request pursuant to and responding to any process contained in associated section 140.98(b) of the Commission's regulations, and complying with the documentation requirements contained in section 41.3(b), related to exemption requests from certain intermediaries.

**Respondents/Affected Entities:** Registered entities, intermediaries, eligible contract participants, parties clarifying their status as such or seeking

relief from registration or discrete regulatory burdens associated with their status.

*Estimated number of respondents:* 12,428.

*Estimated total annual burden on respondents:* 28,478 hours.

*Frequency of collection:* Occasionally.

The Commission estimates the burden of this collection of information as follows:

	Estimated annual respondents or recordkeepers	Reports or records annually—each respondent	Total annual responses	Estimated average number of hours per response	Estimated annual burden hours
<b>REPORTING—RENEWAL YEAR ONE:</b>					
§ 140.99(c)—information requirements for letters .....	40	1	40	9.00	360
§ 140.99(d)—filing requirements .....	40	1	40	0.38	15
§ 140.99(e)—staff response:					
change of facts and circumstances .....	7	1	7	2.25	16
notice and other conditions .....	4,500	1	4,500	1.50	6,750
§ 140.99(f)—withdrawal of requests .....	6	1	6	0.75	5
§ 140.98(b)—confidential treatment requests .....	5	1	5	1.80	9
§ 41.3(b)—securities brokers and dealers requesting exemptive orders; documentation requirement .....	10	1	10	3.75	38
<b>REPORTING—YEARS TWO AND THREE:</b>					
§ 140.99(c)—information requirements for letters .....	25	1	25	9.00	225
§ 140.99(d)—filing requirements .....	25	1	25	0.38	9
§ 140.99(e)—staff response:					
change of facts and circumstances .....	4	1	4	2.25	9
notice and other conditions .....	1,500	1	1,500	1.50	2,250
§ 140.99(f)—withdrawal of requests .....	3		0		0
§ 140.98(b)—confidential treatment requests .....	3	1	3	1.80	5
§ 41.3(b)—securities brokers and dealers requesting exemptive orders; documentation requirement .....	10	1	10	3.75	38
<b>SUBTOTAL REPORTING .....</b>	<b>6,178</b>	<b>13</b>	<b>6,175</b>	<b>38</b>	<b>9,728</b>
<b>RECORDKEEPING—RENEWAL YEAR ONE:</b>					
§ 140.99(e)—staff response:					
notice and other conditions .....	4,500	4	18,000	0.75	13,500
<b>RECORDKEEPING—RENEWAL YEARS TWO AND THREE:</b>					
§ 140.99(e)—staff response:					
notice and other conditions .....	1,750	4	7,000	0.75	5,250
<b>SUBTOTAL RECORDKEEPING .....</b>	<b>6,250</b>	<b>8</b>	<b>25,000</b>	<b>2</b>	<b>18,750</b>
<b>GRAND TOTAL .....</b>	<b>12,428</b>	<b>21</b>	<b>31,175</b>	<b>40</b>	<b>28,478</b>

There are no capital costs or operating and maintenance costs associated with this collection.

This estimate is based on the number of requests for such letters in the last three years. Although the burden varies with the type, size, and complexity of the request submitted, such request may involve analytical work and analysis, as well as the work of drafting the request itself.

**Comment Solicitation:** With respect to this collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;

- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and

- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

Dated: December 23, 2013.

**Christopher J. Kirkpatrick,**

*Deputy Secretary of the Commission.*

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## BUREAU OF CONSUMER FINANCIAL PROTECTION

### Fair Credit Reporting Act Disclosures

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice regarding charges for certain disclosures under the Fair Credit Reporting Act.

**SUMMARY:** The Bureau of Consumer Financial Protection (Bureau)

announces that the ceiling on allowable charges under Section 612(f) of the Fair Credit Reporting Act (FCRA) will remain unchanged at \$11.50 for 2014. The Bureau is required to increase the \$8.00 amount referred to in Section 612(f)(1)(A)(i) of the FCRA on January 1 of each year, based proportionally on changes in the Consumer Price Index for All Urban Consumers (CPI-U), with fractional changes rounded to the nearest fifty cents. The CPI-U increased 45.25 percent between September 1997, the date the FCRA amendments took effect, and September 2013. This increase in the CPI-U, and the requirement that any increase be rounded to the nearest fifty cents, results in no change in the maximum allowable charge of \$11.50.

**DATES:** Effective January 1, 2014.

**FOR FURTHER INFORMATION CONTACT:**

David Friend, Office of Regulations, Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552 at (202) 435-7700.

**SUPPLEMENTARY INFORMATION:** Section 612(f)(1)(A) of the Fair Credit Reporting Act (FCRA) provides that a consumer reporting agency may charge a consumer a reasonable amount for making a disclosure to the consumer pursuant to Section 609 of the FCRA.<sup>1</sup> Section 612(f)(1)(A)(i) of the FCRA provides that, where a consumer reporting agency is permitted to impose a reasonable charge on a consumer for making a disclosure to the consumer pursuant to Section 609 of the FCRA, the charge shall not exceed \$8.00 and shall be indicated to the consumer before making the disclosure. Section 612(f)(2) of the FCRA states that the Bureau shall increase the \$8.00 maximum amount on January 1 of each year, based proportionally on changes in the Consumer Price Index, with fractional changes rounded to the nearest fifty cents.

In 2011, the responsibility for performing this task was transferred from the Federal Trade Commission to the Bureau pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010.<sup>2</sup> Like the Federal Trade Commission, the Bureau's calculations are based on the CPI-U, which is the most general Consumer

Price Index and covers all urban consumers and all items.

Section 211(a)(2) of the FACT Act added a new Section 612(a) to the FCRA that gives consumers the right to request free annual disclosures once every 12 months. The maximum allowable charge established by this notice does not apply to requests made under that provision. The charge does apply when a consumer who orders a file disclosure has already received a free annual disclosure and does not otherwise qualify for an additional free disclosure.

The Bureau is using the \$8.00 amount set forth in Section 612(f)(1)(A)(i) of the FCRA as the baseline for its calculation of the increase in the ceiling on reasonable charges for certain disclosures made under Section 609 of the FCRA. Since the effective date of the amended FCRA was September 30, 1997, the Bureau calculated the proportional increase in the CPI-U from September 1997 to September 2013. The Bureau then determined what modification, if any, from the original base of \$8.00 should be made effective for 2014, given the requirement that fractional changes be rounded to the nearest fifty cents.

Between September 1997 and September 2013, the CPI-U increased by 45.25 percent—from an index value of 161.2 in September 1997 to a value of 234.1 in September 2013. An increase of 45.25 percent in the \$8.00 base figure would lead to a new figure of \$11.62. However, because the statute directs that the resulting figure be rounded to the nearest \$0.50, the maximum allowable charge is \$11.50. The Bureau therefore determines that the maximum allowable charge for the year 2014 will remain unchanged at \$11.50.

Dated: December 24, 2013.

**Richard Cordray,**

*Director, Bureau of Consumer Financial Protection.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Announcement of Competition Under the America COMPETES Act

**AGENCY:** Defense Advanced Research Projects Agency (DARPA), DoD.

**ACTION:** Notice.

**SUMMARY:** DARPA announces the Cyber Grand Challenge (CGC), a prize competition under 15 U.S.C. 3719, the America COMPETES Act. The CGC will utilize a series of competition events to

test the abilities of fully automated cyber defense systems. The CGC seeks to engender a new generation of autonomous cyber defense capabilities that combine the speed and scale of automation with reasoning abilities exceeding those of human experts.

**FOR FURTHER INFORMATION CONTACT:** All questions regarding the competition may be sent to [CyberGrandChallenge@darpa.mil](mailto:CyberGrandChallenge@darpa.mil).

**SUPPLEMENTARY INFORMATION:** DARPA recommends that all parties interested in participating in the CGC read the latest CGC Rules document posted on the CGC Web site ([www.darpa.mil/cybergrandchallenge](http://www.darpa.mil/cybergrandchallenge)) for a full description of CGC events.

*Subject of the competition.* The DoD maintains information systems using a software technology base comprised of Commercial Off The Shelf (COTS) operating systems and applications. This COTS technology base is common to the DoD, industry, and the Defense Industrial Base, and the continual discovery of potential vulnerabilities in this software base has led to a constant cycle of intrusion, compromise discovery, patch formulation, patch deployment and recovery. At the present time this defensive cycle is performed by highly trained software analysts; it is the role of these analysts to reason about the function of software, identify novel threats and remove them. Manual analysis of code and threats is an artisan process, often requiring skilled analysts to spend weeks or months analyzing a problem. The size of the technology base also contributes to the difficulty of manually discovering vulnerabilities. At the present time, automated program analysis capabilities are able to assist the work of human software analysts. In the Cyber Grand Challenge, competitors will improve and combine these semi-automated technologies into unmanned Cyber Reasoning Systems that can autonomously reason about novel program flaws, prove the existence of flaws in networked applications, and formulate effective defenses. The performance of these automated systems will be evaluated through head-to-head tournament style competition. The CGC will draw widespread attention to the technology issues associated with autonomous software comprehension and motivate entrants to overcome technical challenges to realize truly effective autonomous cyber defense. This competition will challenge the most capable and innovative companies, institutions, and entrepreneurs to produce breakthroughs in capability and performance. Eligible parties may enter

<sup>1</sup> This provision, originally Section 612(a), was added to the FCRA in September 1996 and became effective in September 1997. It was relabeled Section 612(f) by Section 211(a)(1) of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act), Public Law 108-159, which was signed into law on December 4, 2003.

<sup>2</sup> Public Law 111-203, Title X, Section 1088.