

## OFFICE OF PERSONNEL MANAGEMENT

### Submission for Review: Initial Certification of Full-Time School Attendance, RI 25-41

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** 30-Day Notice and request for comments.

**SUMMARY:** The Retirement Services, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR) 3206-0099, Initial Certification of Full-Time School Attendance. As required by the Paperwork Reduction Act of 1995, (Pub. L. 104-13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104-106), OPM is soliciting comments for this collection. The information collection was previously published in the **Federal Register** on June 4, 2012 at Volume 77 FR 33007 allowing for a 60-day public comment period. No comments were received for this information collection. The purpose of this notice is to allow an additional 30 days for public comments. The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the 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 submissions of responses.

**DATES:** Comments are encouraged and will be accepted until December 31, 2012. This process is conducted in accordance with 5 CFR 1320.1.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk

Officer for the Office of Personnel Management or sent via electronic mail to [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov) or faxed to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR with applicable supporting documentation, may be obtained by contacting the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to [oira\\_submission@omb.eop.gov](mailto:oira_submission@omb.eop.gov) or faxed to (202) 395-6974.

**SUPPLEMENTARY INFORMATION:** RI 25-41, Initial Certification of Full-Time School Attendance, is used to determine whether a child is unmarried and a full-time student in a recognized school. OPM must determine this in order to pay survivor annuity benefits to children who are age 18 or older.

#### Analysis

*Agency:* Retirement Operations, Retirement Services, Office of Personnel Management.

*Title:* Initial Certification of Full-Time School Attendance.

*OMB Number:* 3206-0099.

*Frequency:* On occasion.

*Affected Public:* Individuals or Households.

*Number of Respondents:* 1,200.

*Estimated Time per Respondent:* 90 minutes.

*Total Burden Hours:* 1,800.

U.S. Office of Personnel Management.

**John Berry,**

*Director.*

[FR Doc. 2012-28896 Filed 11-28-12; 8:45 am]

**BILLING CODE 6325-38-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Hispanic Council on Federal Employment

**AGENCY:** Office of Personnel Management.

**ACTION:** Scheduling of Council Meeting.

**SUMMARY:** The Hispanic Council on Federal Employment (HCFE) will hold a meeting on Monday, December 13th, at the time and location shown below. The Council is an advisory committee composed of representatives from Hispanic organizations and senior government officials. Along with its other responsibilities, the Council shall advise the Director of the Office of Personnel Management on matters involving the recruitment, hiring, and advancement of Hispanics in the

Federal workforce. The Council is co-chaired by the Chief of Staff of the Office of Personnel Management.

The meeting is open to the public. Please contact the Office of Personnel Management at the address shown below if you wish to present material to the Council at the meeting. The manner and time prescribed for presentations may be limited, depending upon the number of parties that express interest in presenting information.

**DATES:** December 13th 2012, from 2:00-4:00 p.m.

*Location:* U.S. Office of Personnel Management, 1900 E Street NW., Room 2316C, Washington, DC 20415.

**FOR FURTHER INFORMATION CONTACT:** Veronica E. Villalobos, Director for the Office of Diversity and Inclusion, Office of Personnel Management, 1900 E St. NW., Washington, DC 20415. Phone (202) 606-0040 FAX (202) 606-2183 or email at [Jesse.Frank@opm.gov](mailto:Jesse.Frank@opm.gov).

U.S. Office of Personnel Management.

**John Berry,**

*Director.*

[FR Doc. 2012-28893 Filed 11-28-12; 8:45 am]

**BILLING CODE 6325-46-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Submission for Review: 3206-0140, Representative Payee Application (RI 20-7) and Information Necessary for a Competency Determination (RI 30-3)

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** 60-Day notice and request for comments.

**SUMMARY:** The Retirement Services, Office of Personnel Management (OPM) offers the general public and other federal agencies the opportunity to comment on a revised information collection request (ICR) 3206-0140, Representative Payee Application (RI 20-7) and Information Necessary for a Competency Determination (RI 30-3). As required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104-106), OPM is soliciting comments for this collection. The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the 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 submissions of responses.

**DATES:** Comments are encouraged and will be accepted until January 28, 2013. This process is conducted in accordance with 5 CFR 1320.1.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the U.S. Office of Personnel Management, Retirement Services, Union Square Room US 370, 1900 E Street NW., Washington, DC 20415, Attention: Alberta Butler or sent via electronic mail to [Alberta.Butler@opm.gov](mailto:Alberta.Butler@opm.gov).

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW., Room 4332, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to [Cyrus.Benson@opm.gov](mailto:Cyrus.Benson@opm.gov) or faxed to (202) 606-0910.

**SUPPLEMENTARY INFORMATION:** RI 20–7, Representative Payee Application, is used by the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) to collect information from persons applying to be fiduciaries for annuitants or survivor annuitants who appear to be incapable of handling their own funds or for minor children. RI 30–3, Information Necessary for a Competency Determination, collects medical information regarding the annuitant's competency for OPM's use in evaluating the annuitant's condition.

## Analysis

**Agency:** Retirement Operations, Retirement Services, Office of Personnel Management.

**Title:** Representative Payee Application and Information Necessary for a Competency Determination.

**OMB Number:** 3206–0140.

**Frequency:** On occasion.

**Affected Public:** Individuals or Households.

**Number of Respondents:** RI 20–7 = 12,480; RI 30–3 = 250.

**Estimated Time per Respondent:** 90.  
**Total Burden Hours:** 6,490.

U.S. Office of Personnel Management.

**John Berry,**

*Director.*

[FR Doc. 2012–28894 Filed 11–28–12; 8:45 am]

**BILLING CODE 6325–38–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–68286; File No. S7–04–09]

### Order Extending Temporary Conditional Exemption for Nationally Recognized Statistical Rating Organizations From Requirements of Rule 17g–5 Under the Securities Exchange Act of 1934 and Request for Comment

November 26, 2012.

## I. Introduction

On May 19, 2010, the Securities and Exchange Commission (“Commission”) conditionally exempted, with respect to certain credit ratings and until December 2, 2010, nationally recognized statistical rating organizations (“NRSROs”) from certain requirements in Rule 17g–5(a)(3)<sup>1</sup> under the Securities Exchange Act of 1934 (“Exchange Act”), which had a compliance date of June 2, 2010.<sup>2</sup> Pursuant to the Order, an NRSRO is not required to comply with Rule 17g–5(a)(3) until December 2, 2010 with respect to credit ratings where: (1) The issuer of the structured finance product is a non-U.S. person; and (2) the NRSRO has a reasonable basis to conclude that the structured finance product will be offered and sold upon issuance, and that any arranger linked to the structured finance product will effect transactions of the structured finance product after issuance, only in transactions that occur outside the U.S. (“covered transactions”).<sup>3</sup> On November 23, 2010, the Commission extended the conditional temporary exemption until December 2, 2011.<sup>4</sup> On November 16, 2011, the Commission extended the conditional temporary exemption until December 2, 2012.<sup>5</sup> The Commission is

extending the temporary conditional exemption exempting NRSROs from complying with Rule 17g–5(a)(3) with respect to rating covered transactions until December 2, 2013.

## II. Background

Rule 17g–5 identifies, in paragraphs (b) and (c) of the rule, a series of conflicts of interest arising from the business of determining credit ratings.<sup>6</sup> Paragraph (a) of Rule 17g–5<sup>7</sup> prohibits an NRSRO from issuing or maintaining a credit rating if it is subject to the conflicts of interest identified in paragraph (b) of Rule 17g–5 unless the NRSRO has taken the steps prescribed in paragraph (a)(1) (*i.e.*, disclosed the type of conflict of interest in Exhibit 6 to Form NRSRO in accordance with Section 15E(a)(1)(B)(vi) of the Exchange Act<sup>8</sup> and Rule 17g–1)<sup>9</sup> and paragraph (a)(2) (*i.e.*, established and is maintaining and enforcing written policies and procedures to address and manage conflicts of interest in accordance with Section 15E(h) of the Exchange Act).<sup>10</sup> Paragraph (c) of Rule 17g–5 specifically prohibits seven types of conflicts of interest. Consequently, an NRSRO is prohibited from issuing or maintaining a credit rating when it is subject to these conflicts regardless of whether it had disclosed them and established procedures reasonably designed to address them.

In December 2009, the Commission adopted subparagraph (a)(3) to Rule 17g–5. This provision requires an NRSRO that is hired by an arranger to determine an initial credit rating for a structured finance product to take certain steps designed to allow an NRSRO that is not hired by the arranger to nonetheless determine an initial credit rating—and subsequently monitor that credit rating—for the structured finance product.<sup>11</sup> In particular, under Rule 17g–5(a)(3), an NRSRO is prohibited from issuing or maintaining a credit rating when it is subject to the conflict of interest identified in paragraph (b)(9) of Rule 17g–5 (*i.e.*, being hired by an arranger to determine a credit rating for a structured finance product)<sup>12</sup> unless it has taken the steps

<sup>6</sup> 17 CFR 240.17g–5(b) and (c).

<sup>7</sup> 17 CFR 240.17g–5(a).

<sup>8</sup> 15 U.S.C. 78o–7(a)(1)(B)(vi).

<sup>9</sup> 17 CFR 240.17g–1.

<sup>10</sup> 15 U.S.C. 78o–7(h).

<sup>11</sup> See 17 CFR 240.17g–5(a)(3); *see also* Exchange Act Release No. 61050 (Nov. 23, 2009), 74 FR 63832 (Dec. 4, 2009) (“Adopting Release”) at 63844–45.

<sup>12</sup> Paragraph (b)(9) of Rule 17g–5 identifies the following conflict of interest: Issuing or maintaining a credit rating for a security or money market instrument issued by an asset pool or as part of any asset-backed or mortgage-backed securities