

69. Bidders in Auction 79 are prohibited from withdrawing any bid after the close of a round in which the bid was placed. Bidders are cautioned to select bid amounts carefully because no bid withdrawals will be allowed in Auction 79, even if a bid was mistakenly or erroneously made.

#### vii. Round Results

70. Reports reflecting bidders' identities for Auction 79 will be available before and during the auction. Thus, bidders will know in advance of this auction the identities of the bidders against which they are bidding.

71. Bids placed during a round will not be made public until the conclusion of that round. After a round closes, the Bureaus will compile reports of all bids placed, current provisionally winning bids, new minimum acceptable bid amounts for the following round, whether the construction permit is FCC held, and bidder eligibility status (bidding eligibility and activity rule waivers), and post the reports for public access.

#### viii. Auction Announcements

72. The Commission will use auction announcements to announce items such as schedule changes and stage transitions. All auction announcements will be available by clicking a link in the FCC Auction System.

### V. Post-Auction Procedures

73. Shortly after bidding has ended, the Commission will issue a public notice declaring the auction closed, identifying the winning bidders, and establishing the deadlines for submitting down payments, final payments, and the long-form applications (FCC Form 301).

#### A. Down Payments

74. Within ten business days after release of the auction closing notice, each winning bidder must submit sufficient funds (in addition to its upfront payment) to bring its total amount of money on deposit with the Commission for Auction 79 to 20 percent of the net amount of its winning bids (gross bids less any applicable new entrant bidding credits).

#### B. Final Payments

75. Each winning bidder will be required to submit the balance of the net amount of its winning bids within ten business days after the applicable deadline for submitting down payments.

#### C. Long-Form Application (FCC Form 301)

76. Within thirty days after release of the auction closing notice, winning bidders must electronically submit a properly completed long-form application (FCC Form 301, Application for FM Construction Permit) and required exhibits, for each construction permit they won through Auction 79. Winning bidders claiming new entrant status must include an exhibit demonstrating their eligibility for the bidding credit. Further instructions on these and other filing requirements will be provided to winning bidders in the auction closing public notice.

#### D. Default and Disqualification

77. Any winning bidder that defaults or is disqualified after the close of the auction (*i.e.*, fails to remit the required down payment within the prescribed period of time, fails to submit a timely long-form application, fails to make full payment, or is otherwise disqualified) will be subject to the payments described in 47 CFR 1.2104(g)(2). The payments include both a deficiency payment, equal to the difference between the amount of the bidder's bid and the amount of the winning bid the next time a construction permit covering the same spectrum is won in an auction, plus an additional payment equal to a percentage of the defaulter's bid or of the subsequent winning bid, whichever is less. The Bureaus have set the additional default payment for this auction at twenty percent of the applicable bid.

78. Finally, in the event of a default, the Commission may re-auction the construction permit or offer it to the next highest bidder (in descending order) at its final bid amount. In addition, if a default or disqualification involves gross misconduct, misrepresentation, or bad faith by an applicant, the Commission may declare the applicant and its principals ineligible to bid in future auctions, and may take any other action that it deems necessary, including institution of proceedings to revoke any existing authorizations held by the applicant.

#### E. Refund of Remaining Upfront Payment Balance

79. Applicants that are not winning bidders or are winning bidders whose upfront payment exceeded the total net amount of their winning bids may be entitled to a refund of some or all of their upfront payment. All refunds will be returned to the payor of record, as identified on the FCC Form 159, unless the payor submits written authorization

instructing otherwise. Bidders that drop out of the auction completely (have exhausted all of their activity rule waivers and have no remaining bidding eligibility) may request a refund of their upfront payments before the close of the auction.

Federal Communications Commission.

**Gary D. Michaels,**

*Deputy Chief, Auctions and Spectrum Access Division, WTB.*

[FR Doc. E9-12523 Filed 5-28-09; 8:45 am]

**BILLING CODE 6712-01-P**

### FEDERAL HOUSING FINANCE AGENCY

[No. 2009-N-06]

#### Proposed Collection; Comment Request

**AGENCY:** Federal Housing Finance Agency.

**ACTION:** 60-day Notice of Submission of Information Collection for Approval from the Office of Management and Budget.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, the Federal Housing Finance Agency (FHFA) is seeking public comments concerning a currently approved information collection known as "Community Support Requirements," which has been assigned control number 2590-0005 by the Office of Management and Budget (OMB). The FHFA intends to submit the information collection to OMB for review and approval of a three-year extension of the control number, which is due to expire on September 30, 2009.

**DATES:** Interested persons may submit comments on or before July 28, 2009.

**Comments:** Submit comments to the FHFA using any one of the following methods: *E-mail:* [regcomments@fhfa.gov](mailto:regcomments@fhfa.gov). Please include Proposed Collection; Comment Request; Community Support Requirements (No. 2009-N-06) in the subject line of the message.

**Mail/Hand Delivery:** Federal Housing Finance Agency, Fourth Floor, 1700 G Street NW., Washington, DC 20552, Attention: Public Comments/Proposed Collection; Comment Request: "Community Support Requirements," (No. 2009-N-06). *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

We will post all public comments we receive without change, including any personal information you provide, such

as your name and address, on the FHFA Web site at <http://www.fhfa.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Reggie Ellison, Senior Program Analyst, 202-408-2968 (not a toll-free number), [Reggie.Ellison@fhfa.gov](mailto:Reggie.Ellison@fhfa.gov). The telephone number for the Telecommunications Device for the Deaf is 800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**A. Need For and Use of the Information Collection**

Section 10(g)(1) of the Federal Home Loan Bank Act (Bank Act) requires the FHFA to promulgate regulations establishing standards of community investment or service that Federal Home Loan Bank (Bank) members must meet in order to maintain access to long-term advances. See 12 U.S.C. 1430(g)(1). In establishing these community support requirements for Bank members, the FHFA must take into account factors such as the Bank member's performance under the Community Reinvestment Act of 1977 (CRA), 12 U.S.C. 2901, *et seq.*, and record of lending to first-time homebuyers. 12 U.S.C. 1430(g)(2). 12 CFR part 944 implements section 10(g) of the Bank Act. See 12 CFR part 944. The rule provides uniform community support standards all Bank members must meet and review criteria FHFA staff must apply to determine compliance with section 10(g). More

specifically, section 944.2 of the rule (12 CFR 944.2) implements the statutory community support requirement and requires each member selected for review to submit a completed Community Support Statement Form to the FHFA. A copy of the Community Support Statement Form is attached to this Notice. Section 944.3 (12 CFR 944.3) establishes community support standards for the two statutory factors—CRA and first-time homebuyer performance—and provides guidance to a respondent on how it may satisfy the standards. Sections 944.4 and 944.5 (12 CFR 944.4–5) establish the procedures and criteria the FHFA uses in determining whether Bank members satisfy the statutory and regulatory community support requirements.

The information collection contained in the Community Support Statement Form and sections 944.2 through 944.5 of the rule are necessary to enable and are used by the FHFA to determine whether Bank members satisfy the statutory and regulatory community support requirements. Only Bank members that meet these requirements may maintain continued access to long-term Bank advances. See 12 U.S.C. 1430(g).

The OMB number for the information collection is 2590-0005. The OMB clearance for the information collection

expires on September 30, 2009. The likely respondents are institutions that are Bank members.

**B. Burden Estimate**

The FHFA estimates the total annual average number of respondents at 4100 Bank members, with 1 response per member. The estimate for the average hours per response is one hour. The estimate for the total annual hour burden is 4100 hours (4100 members × 1 response per member × 1 hour).

**C. Comment Request**

The FHFA requests written comments on the following: (1) Whether the collection of information is necessary for the proper performance of FHFA functions, including whether the information has practical utility; (2) the accuracy of the FHFA estimates of the burdens of the collection of information; (3) ways to enhance the quality, utility and clarity of the information collected; and (4) ways to minimize the burden of the collection of information, including through the use of automated collection techniques or other forms of information technology.

Dated: May 21, 2009.

**James B. Lockhart III,**

*Director, Federal Housing Finance Agency.*

**BILLING CODE P**



# **FEDERAL HOUSING FINANCE AGENCY COMMUNITY SUPPORT STATEMENT**

FHFA Form # 060  
(04/2009)

*(see instructions page 2)*

Name of Institution: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Docket Number: \_\_\_\_\_

Contact Person: (Mr./Ms.) \_\_\_\_\_ Title: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ Fax Number: ( ) \_\_\_\_\_

## **I. CRA Factor**

Most recent federal CRA Rating: \_\_\_\_\_ CRA Evaluation Date: \_\_\_\_\_

## **II. First-time Homebuyer Factor** *(You may complete either Section A or B, or both sections. Members with "Outstanding" federal CRA ratings need not complete this section.)*

### **A. Complete the following four questions using data for the past year.**

1. Number of mortgage loans made to first-time homebuyers \_\_\_\_\_
2. Dollar amount of loans made to first-time homebuyers \$ \_\_\_\_\_
3. Loans made to first-time homebuyers as a percentage of all mortgage loans \_\_\_\_\_ %
4. Dollars loaned to first-time homebuyers as a percentage of all mortgage dollars loaned \_\_\_\_\_ %

### **B. Check as many boxes as appropriate**

1. In-house first-time homebuyer program (e.g. marketing plans and outreach programs) \_\_\_\_\_
2. Other in-house lending products that serve first-time homebuyers or low- and moderate-income homebuyers \_\_\_\_\_
3. Flexible underwriting standards for first-time homebuyers \_\_\_\_\_
4. Participate in nationwide first-time homebuyer programs (Fannie Mae, Freddie Mac, etc.) \_\_\_\_\_
5. Participate in federal government programs that serve first-time homebuyers (FHA, VA, etc.) \_\_\_\_\_
6. Participate in state or local government programs targeted to first-time homebuyers \_\_\_\_\_
7. Financial support or technical assistance to community groups or organizations that assist first-time homebuyers \_\_\_\_\_
8. Participate in loan consortia that make loans to first-time homebuyers \_\_\_\_\_
9. Participate in or support special counseling or homeownership education targeted to first-time homebuyers \_\_\_\_\_
10. Hold investments or make loans that support first-time homebuyer programs \_\_\_\_\_
11. Hold mortgage-backed securities that may include a pool of loans to low and moderate-income homebuyers \_\_\_\_\_
12. Participate in service organizations that provide mortgages \_\_\_\_\_
13. Participate in FHFA community lending programs \_\_\_\_\_
14. Other (see instructions for Part II) \_\_\_\_\_

## **III. Certify that information in this Community Support Statement and the attachments is correct to the best of your knowledge by filling out the information below.**

Signed \_\_\_\_\_

Title \_\_\_\_\_

Print Name \_\_\_\_\_

Date \_\_\_\_\_

**Community Support Statement Instructions**

**Purpose:** To maintain continued access to long-term advances, section 10(g) of the Federal Home Loan Bank Act [12 U.S.C. §1430(g)] requires the Federal Housing Finance Agency (FHFA) to take into account a Federal Home Loan Bank member's performance under the Community Reinvestment Act of 1977 [12 U.S.C. §2901 et seq.] (CRA) and its record of lending to first-time homebuyers. For purposes of community support review, the term "long-term advances" means advances with a term to maturity greater than one year.

**Part I (CRA Factor): Members subject to CRA may complete this section.** Indicate your institution's most recent federal CRA evaluation rating and date. [If your institution is not subject to CRA, indicate this in the CRA evaluation field on this form.]

If a member's most recent federal CRA evaluation is rated "Needs to Improve," the FHFA will place that member on probation until it receives the rating from its next CRA examination. During the probationary period, it will retain access to long-term advances. If the member does not receive an improved CRA rating at its next CRA evaluation, its access to long-term advances will be restricted.

If a member's most recent federal CRA rating is "Substantial Non-compliance," the FHFA immediately will take action to restrict that member's access to long term advances. The restriction will remain in effect until the member's rating improves.

**Part II (First-time Homebuyer Factor): All members, except those with "Outstanding" federal CRA ratings must complete this section.** An institution may demonstrate assistance to first-time homebuyers in many ways, but the FHFA is particularly interested in actual loans, products, and services to first-time homebuyers. Although completion of both Section A and Section B is requested, you may satisfy the first-time homebuyer factor by demonstrating adequate lending performance (Section A), by demonstrating participation in programs that assist first-time homebuyers (Section B), or by a combination of both factors. If the information requested in Part II is inadequate to reflect your institution's compliance with the first-time homebuyer factor, you may attach a one-page description of your efforts to assist first-time homebuyers and/or an explanation of factors affecting your institution's ability to assist first-time homebuyers. No other information beyond this one-page description will be considered.

If a member does not submit evidence of assistance to first-time homebuyers, the FHFA immediately will take action to restrict that member's access to long term advances. The restriction will remain in effect until the member submits information satisfactory to the FHFA.

**Part III (Certification): All members must complete this section.** An appropriate senior official must certify that the information in this Community Support Statement and the attachments is correct to the best of his/her knowledge.

**Assistance:** Your Federal Home Loan Bank has a Community Support Program that can assist you in preparing your Community Support Statement.

*Once you have completed this form, please submit it, along with any attachments, to the Federal Housing Finance Agency, Office of Housing Mission and Goals, 1625 Eye Street, N.W., Washington, D.C. 20006-4001, or by electronic mail to [emma.fitzgerald@fhfa.gov](mailto:emma.fitzgerald@fhfa.gov)*

[FR Doc. E9-12400 Filed 5-28-09; 8:45 am]

BILLING CODE C

**FEDERAL RESERVE SYSTEM****Change in Bank Control Notices; Acquisition of Shares of Bank or Bank Holding Companies**

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than June 15, 2009.

**A. Federal Reserve Bank of Chicago** (Colette A. Fried, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690-1414:

1. *Charles A. Adams, individually, Holly A. Bailey; Howell Paving, Inc.; and Howell-Adams Foundation*, all of Mattoon, Illinois; as a group acting in concert, to acquire voting shares of First Mid Illinois Bancshares, Inc., and thereby indirectly acquire voting shares of First Mid Illinois Bank & Trust, National Association, both of Mattoon, Illinois.

Board of Governors of the Federal Reserve System, May 26, 2009.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. E9-12544 Filed 5-28-09; 8:45 am]

BILLING CODE 6210-01-S

**FEDERAL RESERVE SYSTEM****Federal Open Market Committee; Domestic Policy Directive of April 28 and 29, 2009**

In accordance with § 271.25 of its rules regarding availability of information (12 CFR part 271), there is set forth below the domestic policy directive issued by the Federal Open Market Committee at its meeting held on April 28 and 29, 2009.<sup>1</sup>

<sup>1</sup> Copies of the Minutes of the Federal Open Market Committee at its meeting held on April 28 and 29, 2009, which includes the domestic policy directive issued at the meeting, are available upon

The Federal Open Market Committee seeks monetary and financial conditions that will foster price stability and promote sustainable growth in output. To further its long-run objectives, the Committee seeks conditions in reserve markets consistent with federal funds trading in a range of 0 to ¼ percent. The Committee directs the Desk to purchase GSE debt GSE-guaranteed MBS, and longer-term Treasury securities during the intermeeting period with the aim of providing support to private credit markets and economic activity. The timing and pace of these purchases should depend on conditions in the markets for such securities and on a broader assessment of private credit market conditions. The Committee anticipates that the combination of outright purchases and various liquidity facilities outstanding will cause the size of the Federal Reserve's balance sheet to expand significantly in coming months. The Desk is expected to purchase up to \$200 billion in housing-related GSE debt by the end of this year. The Desk is expected to purchase at least \$500 billion in GSE-guaranteed MBS by the end of the second quarter of this year and is expected to purchase up to \$1.25 trillion of these securities by the end of this year. The Committee also directs the Desk to purchase longer-term Treasury securities during the intermeeting period. Over the next six months, the Desk is expected to purchase up to \$300 billion of longer-term Treasury securities. The System Open Market Account Manager and the Secretary will keep the Committee informed of ongoing developments regarding the System's balance sheet that could affect the attainment over time of the Committee's objectives of maximum employment and price stability.

By order of the Federal Open Market Committee, May 21, 2009.

**Brian F. Madigan,**

*Secretary, Federal Open Market Committee.*

[FR Doc. E9-12478 Filed 5-28-09; 8:45 am]

BILLING CODE 6210-01-S

**FEDERAL RESERVE SYSTEM****Formations of, Acquisitions by, and Mergers of Bank Holding Companies**

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company

request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The minutes are published in the Federal Reserve Bulletin and in the Board's annual report.

Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The applications also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at [www.ffiec.gov/nic/](http://www.ffiec.gov/nic/).

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than June 25, 2009.

**A. Federal Reserve Bank of Kansas City** (Todd Offenbacher, Assistant Vice President) 1 Memorial Drive, Kansas City, Missouri 64198-0001:

1. *International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers*, Kansas City, Kansas; to acquire up to 51 percent of the voting shares of Brotherhood Bancshares, Inc., and thereby indirectly acquire voting shares of The Brotherhood Bank & Trust Company, both in Kansas City, Kansas.

**B. Federal Reserve Bank of San Francisco** (Kenneth Binning, Vice President, Applications and Enforcement) 101 Market Street, San Francisco, California 94105-1579:

1. *Franklin Resources, Inc.*, San Mateo, California; to acquire 9.90 percent of the voting shares of Black River BancVenture, Inc., Memphis, Tennessee, and thereby indirectly acquire voting shares of Allegiance Bank of North America, Bala Cynwyd, Pennsylvania; Bay Commercial Bank, Walnut Creek, California; Community Shores Bank, Muskegon, Michigan; Cornerstone Bank, Moorestown, New Jersey; Lakeside Community Bank, Sterling Heights, Michigan; and Quaint