

a usual and customary business practice. Therefore, credit union labor costs are the appropriate recordkeeping burden associated with maintaining a records preservation program under part 749. This is the primary reason why the total annual burden has decreased, along with a decline in the number of FICUs from 8,420 to 6,753 and newly chartered FICUs from 15 to 5.

The NCUA requests that you send your comments on this collection to the location listed in the addresses section. Your comments should address: (a) The necessity of the information collection for the proper performance of NCUA, including whether the information will have practical utility; (b) the accuracy of our estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents such as through the use of automated collection techniques or other forms of information technology. It is NCUA's policy to make all comments available to the public for review.

## II. Data

*Title:* Records Preservation under 12 CFR part 749.

*OMB Number:* 3133-0032.

*Form Number:* None.

*Type of Review:* Reinstatement, with change, of a previously approved collection.

*Description:* Part 749 of NCUA Regulations directs each credit union to develop and maintain a records preservation program and maintain a log for records stored and destroyed.

*Respondents:* All credit unions.

*Estimated Number of Respondents/Recordkeepers:* 6,758. This total consists of 6,753 existing FICUs as of 3/31/2013, and an anticipated 5 newly chartered FICUs in 2013.

*Estimated Burden Hours per Response:* 2 hours for existing FICUs and 8 hours for newly chartered FICUs.

*Frequency of Response:* Quarterly.

*Estimated Total Annual Burden Hours:* 13,546.

*Estimated Total Annual Cost:* \$427,512.

By the National Credit Union Administration Board on August 22, 2013.

**Gerard Poliquin,**

*Secretary of the Board.*

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**BILLING CODE 7535-01-P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Submission to OMB for Reinstatement, With Change, of a Previously Approved Collection; Comment Request

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

**ACTION:** Request for comment.

**SUMMARY:** The NCUA intends to submit the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. This information collection is published to obtain comments from the public. NCUA has authorized federal credit unions to advance money to members to cover account deficits without having a credit application on file if the credit union has a written overdraft policy. NCUA has also authorized federally insured credit unions to offer lending-related incentive pay to employees, provided they establish written policies regarding such plans.

**DATES:** Comments will be accepted until September 27, 2013.

**ADDRESSES:** Interested parties are invited to submit written comments to the NCUA Contact and the OMB Reviewer listed below:

NCUA Contact: Tracy Crews, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, Fax No. 703-837-2861, Email: [OCIOFRA@ncua.gov](mailto:OCIOFRA@ncua.gov).

OMB Contact: Office of Management and Budget, ATTN: Desk Officer for the National Credit Union Administration, Office of Information and Regulatory Affairs, Washington, DC 20503.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information, a copy of the information collection request, or a copy of submitted comments should be directed to Tracy Crews at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, or at (703) 518-6444.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract and Request for Comments

NCUA is reinstating the collection of information for 3133-0139. NCUA has authorized federal credit unions to advance money to members to cover account deficits without having a credit application on file if the credit union has a written overdraft policy. 12 CFR 701.21(c)(3). NCUA believes a written policy is necessary to ensure safety and

soundness in the credit union industry and to protect the interests of credit union members where a federal credit union provides overdraft protection to a member without having his or her credit application on file. NCUA has also authorized federally insured credit unions to offer lending-related incentive pay to employees, provided they establish written policies regarding such plans. 12 CFR 701.21(c)(8). NCUA believes those written policies are necessary to ensure a plan is fully considered before being adopted and for the examination process. NCUA examiners use the information in these policies to review for safety and soundness. This submission represents an adjustment to the recordkeeping hour and cost burden since the last submission. Based on information in March 2013 call reports, we estimate approximately 1,725 federal credit unions are required to have written overdraft policies and approximately 575 federally insured credit unions are required to have written policies for lending-related employee incentive pay plans.

The NCUA requests that you send your comments on this collection to the location listed in the addresses section. Your comments should address: (a) The necessity of the information collection for the proper performance of NCUA, including whether the information will have practical utility; (b) the accuracy of our estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents such as through the use of automated collection techniques or other forms of information technology. It is NCUA's policy to make all comments available to the public for review.

## II. Data

*Title:* Organization and Operations of Federal Credit Unions (12 CFR Part 701), (previously titled Overdraft and Lending-Related Employee Incentive Pay Plan Policies).

*OMB Number:* 3133-0139.

*Form Number:* None.

*Type of Review:* Reinstatement, with change, of a previously approved collection.

*Description:* Federal credit unions wishing to advance money to members to cover account deficits without having a credit application on file must establish a written overdraft policy. Federally insured credit unions wishing

to pay lending-related incentives to employees must establish written policies.

*Respondents:* Certain Federal and federally insured credit unions.

*Estimated No. of Respondents/Recordkeepers:* 2,300.

*Estimated Burden Hours per Response:* 3 hours for overdraft policy and 2 hours for lending-related employee incentive pay plan policies.

*Frequency of Response:* On occasion.

*Estimated Total Annual Burden*

*Hours:* 6,325 hours.

*Estimated Total Annual Cost:* \$158,125.

By the National Credit Union Administration Board on August 22, 2013.

**Gerard Poliquin,**

*Secretary of the Board.*

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**BILLING CODE 7535–01–P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Submission to OMB for Reinstatement, With Change, of a Previously Approved Collection; Comment Request

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

**ACTION:** Request for comment.

**SUMMARY:** The NCUA intends to submit the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. This information collection is published to obtain comments from the public. The collection is related to the requirement that each federal credit union (FCU) must establish reasonable policies and procedures for implementing the red flag guidelines to identify possible risks to FCU members or to an FCU's safety and soundness. Each FCU also must develop an Identity Theft Prevention Program, provide staff training, and report to its board of directors, a board committee, or senior management, at least annually. Due to the transferring of agency responsibilities under the Dodd-Frank Wall Street Reform and Consumer Protection Act, (Dodd-Frank Act), this notice and collection have been modified since the 60-day notice to reflect the current regulatory landscape.

**DATES:** Comments will be accepted until September 27, 2013.

**ADDRESSES:** Interested parties are invited to submit written comments to the NCUA Contact and the OMB Reviewer listed below:

NCUA Contact: Tracy Crews, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, Fax No. 703–837–2861, Email: [OCIOFRA@ncua.gov](mailto:OCIOFRA@ncua.gov).

OMB Contact: Office of Management and Budget, ATTN: Desk Officer for the National Credit Union Administration, Office of Information and Regulatory Affairs, Washington, DC 20503.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information, a copy of the information collection request, or a copy of submitted comments should be directed to Tracy Crews at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314–3428, or at (703) 518–6444.

E&I Contact: Program Officer Judy Graham [eimail@ncua.gov](mailto:eimail@ncua.gov), 703–518–6360.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract and Request for Comments

NCUA is reinstating and amending the collection for 3133–0175. This collection of information is required by Sections 114 of the Fair and Accurate Credit Transactions Act (FACT Act), Public Law 108–159, amending the Fair Credit Reporting Act, 15 U.S.C. 1681–1681x. NCUA is renewing its collection, and also updating the collection to reflect that a portion of the FACT Act authority has been transferred to the Bureau of Consumer Financial Protection (CFPB) pursuant to Title X of the Dodd-Frank Act, Public Law 111–203, 124 Stat. 1955, and republished as CFPB regulations at 76 FR 79308, Dec. 21, 2011. The burden estimates for this portion of the collection have been revised to remove the burden attributable to the four federally insured credit unions with over \$10 billion in total assets, now carried by CFPB pursuant to section 1025 of the Dodd-Frank Act. As required by Section 114 of the FACT Act, Appendix J to 12 CFR part 717 contains red flag guidelines for FCUs to use in identifying patterns, practices, and specific forms of activity that indicate the possible existence of identity theft. In addition, 12 CFR 717.90 requires each FCU to establish reasonable policies and procedures to address the risk of identity theft that incorporate the guidelines. Pursuant to Section 717.91, credit card and debit card issuers must implement reasonable policies and procedures to assess the validity of a request for a change of address under certain circumstances.

Section 717.90 requires each NCUA regulated FCUs that offers or maintains one or more covered accounts to

develop and implement a written Identity Theft Prevention Program (Program). In developing the Program, financial institutions and creditors are required to consider the guidelines in Appendix J to part 717 and include those that are appropriate. The initial Program must be approved by the board of directors or an appropriate committee thereof. The board, an appropriate committee thereof, or a designated employee at the level of senior management must be involved in the oversight of the Program. In addition, staff members must be trained to carry out the Program. Pursuant to Section 717.91, each credit and debit card issuer is required to establish and implement policies and procedures to assess the validity of a change of address request under certain circumstances. Before issuing an additional or replacement card, the card issuer must notify the cardholder or use another means to assess the validity of the change of address.

**Burden estimate:** The hourly burden increased despite a decline in respondents due to an increase in the estimated processing times. NCUA estimates 4,206 respondents (FCUs with assets of \$10 million or less). Each FCU requires 111 hours annually for a total of 466,866 hours annually.

Included in the NCUA estimates of the 4,206 annual respondents annually, two are new FCUs requiring a one-time additional 250 hours for program development. Therefore, the new FCUs incur an additional 500 hours annually.

Hence, NCUA's estimated total annual burden is 467,366 hours, based upon the 111 hours for the annual program and additional 250 hours for new FCU program development.

The NCUA requests that you send your comments on this collection to the location listed in the addresses section. Your comments should address: (a) The necessity of the information collection for the proper performance of NCUA, including whether the information will have practical utility; (b) the accuracy of our estimate of the burden hours of the collection of information, including the validity of the methodology and assumptions used; (c) ways we could enhance the quality, utility, and clarity of the information to be collected; and (d) ways we could minimize the burden of the collection of the information on the respondents such as through the use of automated collection techniques or other forms of information technology. It is NCUA's policy to make all comments available to the public for review.