

552(b). All such requests for confidential treatment will be reviewed on a case-by-case basis.

**Abstract:** The FR 2320 will be a quarterly information collection of parent only and consolidated financial and organizational structure data of top and lower tier SLHCs. The data was previously collected on Schedule HC of the TFR. Title III of the Dodd-Frank Act transferred all former OTS authorities (including rulemaking) related to SLHCs to the Federal Reserve on July 21, 2011. Consequently, the Federal Reserve became responsible for the consolidated supervision of SLHCs beginning July 21, 2011. The Federal Reserve will use the data to evaluate a diversified holding company and to determine whether an SLHC is in compliance with applicable laws and regulations. In addition, the data collected will contribute to the analyses of the overall financial condition of SLHCs to ensure safe and sound operations.

**Current Actions:** On November 10, 2011, the Federal Reserve published a notice in the **Federal Register** (76 FR 70146) requesting public comment for 60 days on the implementation of the Quarterly Savings and Loan Holding Company Report (FR 2320). The comment period for this notice expired on January 9, 2012. The Federal Reserve received three comment letters addressing the proposed implementation of the FR 2320: two from law firms and one from a financial services company.

Two commenters requested clarification of the reporting criteria for multi-tiered SLHCs. Also, these commenters asked that the Federal Reserve be flexible when determining which SLHCs within a multi-tiered organization would be required to file the FR 2320. In response to the comments, the Federal Reserve will clarify the FR 2320 instructions to indicate which SLHCs should file the FR 2320. The FR 2320 will generally be filed by the top-tier SLHC if that SLHC is exempt<sup>1</sup> from filing the Federal Reserve's existing regulatory reports. However, if a top-tier SLHC is not required to file the FR 2320, then a lower-tier SLHC must file FR 2320. Such determination as to which SLHC will be required to file the FR 2320 will be made by the district Federal Reserve Bank. In addition, lower-tier SLHCs may voluntarily file the FR 2320 or may be

required to file (in addition to the top-tier SLHC) for safety and soundness purposes at the discretion of the district Federal Reserve Bank.

One commenter noted certain data items that were given confidential treatment by the OTS are no longer afforded the same treatment in the FR 2320 and this may be of concern to privately held institutions. After considering these comments, the Federal Reserve believes the data items no longer held as confidential will not cause competitive harm to any institution, publicly or privately held and notes there are several BHCs that are privately held where similar information is made publicly available. However, as noted above, institutions may request, in writing, confidential treatment for any data item in the FR 2320 or for all data items in the report, and confidential treatment will be afforded if the institution is able to establish that disclosure would cause substantial competitive harm.

Board of Governors of the Federal Reserve System, February 7, 2012.

**Jennifer J. Johnson,**  
*Secretary of the Board.*

[FR Doc. 2012-3192 Filed 2-10-12; 8:45 am]

**BILLING CODE 6210-01-P**

## 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 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 will also 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.

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 March 9, 2012.

A. Federal Reserve Bank of Minneapolis (Jacqueline G. King, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

1. Western State Agency, Inc. Employee Stock Ownership Plan and Trust, Devils Lake, North Dakota; to acquire an additional 14.44 percent, for a total of 43.25 percent of the voting shares of Western State Agency, Inc., Devils Lake, North Dakota, and thereby indirectly acquire additional voting shares of Western State Bank, Devils Lake, North Dakota.

Dated: February 8, 2012.

Board of Governors of the Federal Reserve System.

**Jennifer J. Johnson,**  
*Secretary of the Board.*

[FR Doc. 2012-3256 Filed 2-10-12; 8:45 am]

**BILLING CODE 6210-01-P**

## GOVERNMENT ACCOUNTABILITY OFFICE

### Debarment, Suspension, and Ineligibility of Contractors

**AGENCY:** Government Accountability Office.

**ACTION:** Policy statement.

**SUMMARY:** On September 30, 2011, the Government Accountability Office (GAO) provided notice of its proposed policy to adopt the policies and procedures contained in the Federal Acquisition Regulation (FAR) regarding the debarment, suspension, and ineligibility of government contractors. Comments on GAO's policy were due on or before November 14, 2011. GAO received two comments. Both comments expressed support for GAO's efforts to adopt policies and procedures regarding the debarment, suspension, and ineligibility of government contractors. Neither comment suggested any changes to GAO's policy statement. GAO is adopting, with minor changes, the policy statement published in the **Federal Register** on September 30, as set forth below.

As a legislative branch agency, GAO is not subject to the requirements of the FAR. However, it is GAO's general policy to follow the FAR, as appropriate and applicable. Mandatory application of the FAR is not to be inferred from

<sup>1</sup> An exempt SLHC includes: (1) A grandfathered unitary SLHC whose assets are primarily commercial and whose thrifts make up less than 5 percent of its consolidated assets; and (2) a SLHC whose assets are primarily insurance-related and who does not otherwise submit financial reports with the Securities and Exchange Commission.

GAO's adoption of this policy. Further, GAO's procurement rules are not contained in the Code of Federal Regulations, but instead are contained in an internal GAO document referred to as "Government Accountability Office Procurement Guidelines" (hereinafter, GAO's Procurement Order). As such, GAO's policy regarding debarment and suspension will be added as a chapter to GAO's Procurement Order.

**DATES:** This policy is effective February 13, 2012.

**ADDRESSES:** Questions concerning this policy can be addressed to Government Accountability Office, Office of the General Counsel, Attn: Legal Services, Room 7838, 441 G Street NW., Washington, DC 20548.

**FOR FURTHER INFORMATION CONTACT:** John A. Bielec, Assistant General Counsel, 202-512-2846 or email, [bielecj@gao.gov](mailto:bielecj@gao.gov).

**SUPPLEMENTARY INFORMATION:** Under GAO's policy, GAO will follow FAR Subpart 9.4. GAO's Procurement Order, GAO Order 0625.1, states that it is GAO's policy to follow the FAR and GAO has long-maintained procedures, consistent with FAR Subpart 9.4, that ensure that it contracts only with those entities and individuals (hereinafter, contractors) who are responsible. However, GAO's Procurement Order does not explicitly reference the debarment and suspension procedures contained in FAR Subpart 9.4. To make clear that FAR Subpart 9.4 applies, GAO will amend its Procurement Order to formally and explicitly adopt FAR Subpart 9.4.

Except as provided in FAR Subpart 9.4, GAO will not solicit offers from, award contracts to, or consent to subcontracts with, contractors who are listed on the Excluded Parties List System (EPLS), which is maintained by the General Services Administration. Further, if GAO debars, proposes for debarment, or suspends a contractor, GAO will, consistent with FAR Subpart 9.4, list that contractor in the EPLS. Given that GAO is a legislative branch agency, the listing of a contractor in the EPLS by GAO will have mandatory effect only as to GAO. Consistent with FAR 9.405-1, GAO may continue an existing contract with a contractor who is later debarred, proposed for debarment, or suspended.

Consistent with the definitions of "debarment official" and "suspending official" contained at FAR 9.403, the Comptroller General, as the head of GAO, will serve as the debarment official and suspending official (hereinafter, debarment/suspension official). The

Comptroller General may designate another GAO official to serve as the debarment/suspension official. The Comptroller General will also be responsible for deciding whether to solicit offers from, award contracts to, or consent to subcontracts with contractors who have been debarred, suspended, or proposed for debarment, and whether to terminate a current contract or subcontract in existence at the time the contractor was debarred, suspended, or proposed for debarment.

GAO's Acquisition Management office (AM), which is responsible for the majority of GAO's contracting activities, will be the GAO unit with primary responsibility for investigating and referring potential debarment and suspension actions to the debarment/suspension official for his or her consideration. GAO's procurement activities are largely centralized in AM, which is staffed by contracting officers and other acquisition professionals. As such, AM staff has the required technical knowledge to handle debarment and suspension referrals and is in the best position to learn of matters that may warrant debarment and/or suspension. Moreover, AM is the first point of contact for Contracting Officers' Representatives, who have direct knowledge of any problems with contractor performance. Thus, individuals—including GAO employees and members of the public—who believe that there may be grounds to debar or suspend a contractor should contact AM and provide them with all relevant information. Whenever AM learns of information that indicates there may be grounds for debarment or suspending a contractor, AM will gather appropriate information and refer the matter to the debarment/suspension official. All such referrals will include a recommendation by the Director of AM as to a proposed course of action. Likewise, AM will have responsibility for recommending to the Comptroller General whether or not to continue current contracts with, solicit offers from, award contracts to, or consent to subcontracts with a contractor who is debarred, suspended, or proposed for debarment.

Given its central role in GAO's procurement process, AM, in consultation with GAO's Office of General Counsel, will also be responsible for establishing written procedures that address the key aspects of GAO's debarment/suspension program.

Accordingly, the Government Accountability Office has adopted the following policy and will incorporate it into GAO's Procurement Order:

GAO will follow the policies and procedures contained at FAR Subpart 9.4—Debarment, Suspension, and Ineligibility. GAO will not solicit offers from, award contracts to, or consent to subcontracts with contractors who are listed on the Excluded Parties List System (EPLS), except as otherwise provided for in FAR Subpart 9.4. GAO will report to the EPLS any contractor GAO debars, suspends, or proposes for debarment. Such action will have mandatory application only to GAO. Notwithstanding the debarment, suspension, or proposed debarment of a contractor, GAO may continue contracts or subcontracts in existence at the time the contractor was debarred, suspended, or proposed for debarment, unless the Comptroller General (CG) directs otherwise.

The CG or a designee will serve as the debarment official and suspending official (debarment/suspension official). The CG will also decide whether to solicit offers from, award contracts to, or consent to subcontracts with contractors who have been debarred, suspended, or proposed for debarment and whether to terminate a current contract or subcontract in existence at the time the contractor was debarred, suspended, or proposed for debarment.

Acquisition Management (AM) will have primary responsibility for investigating and referring potential debarment/suspension actions to the debarment/suspension official for consideration. As such, any person who believes that there may be grounds to debar or suspend a person or entity from contracting with GAO should contact AM and provide them with all relevant information. AM will also have responsibility for recommending to the CG whether or not to continue current contracts with, solicit offers from, award contracts to, or consent to subcontracts with a contractor who is debarred, suspended, or proposed for debarment.

In consultation with the Office of General Counsel, AM will establish and maintain written procedures for:

(1) The prompt reporting, investigation, and referral to the debarment/suspension official of matters appropriate for that official's consideration. All debarment/suspension referrals shall include a recommendation by the Director of AM as to a proposed course of action;

(2) The debarment decisionmaking process, which shall afford the contractor (and any specifically named affiliates) an opportunity to submit, in person, in writing, or through a representative, information and argument in opposition to the proposed debarment;

(3) The suspension decisionmaking process, which shall afford the contractor (and any specifically named affiliates) an opportunity, following the imposition of suspension, to submit, in person, in writing, or through a representative, information and argument in opposition to the suspension;

(4) Recommending to the CG whether or not to solicit offers from, award contracts to, or consent to subcontracts with a contractor who is debarred, suspended, or proposed for debarment; and

(5) Recommending to the CG whether or not to continue current contracts with a contractor or subcontractor who is debarred, suspended, or proposed for debarment.

OGC will review for legal sufficiency:

(1) Referrals by AM to the debarment/suspension official;

(2) Recommendations by AM to the CG that GAO solicit offers from, award contracts to, or consent to subcontracts with a contractor who is debarred, suspended, or proposed for debarment;

(3) Recommendations by AM to the CG to terminate a current contract because a contractor or subcontractor was subsequently debarred, suspended, or proposed for debarment; and

(4) Notices of proposed debarment, notices of suspension, or any other communication to a contractor

regarding that contractor's potential or actual suspension or debarment.

**Lynn H. Gibson,**

*General Counsel, U.S. Government Accountability Office.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

[Document Identifier: OS-0990-New]

### Agency Information Collection Request; 60-Day Public Comment Request

**AGENCY:** Office of the Secretary, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Secretary (OS), Department of Health and Human Services, is publishing the following summary of a proposed information collection request for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, email your request, including your address, phone number, OMB number, and OS document identifier, to [Sherrette.funncoleman@hhs.gov](mailto:Sherrette.funncoleman@hhs.gov), or call the Reports Clearance Office on (202) 690-6162. Written comments and recommendations for the proposed information collections must be directed to the OS Paperwork Clearance Officer at the above email address within 60-days.

*Proposed Project:* Survey of Primary Care Physicians on Oral Health for the Office on Women's Health (OWH), U.S. Department of Health and Human Services (HHS) (New)—OMB No. 0990-NEW.

*Abstract:* The Office on Women's Health (OWH) at the Department of Health and Human Services is requesting OMB approval to conduct a new, one time survey of primary care physicians regarding oral health. This survey will provide the agency with information on oral health knowledge, attitudes, and professional experience among practicing physicians throughout the U.S. The study will explore physicians' level of understanding of oral disease and what constitutes health for the oral cavity, oral health training and support needs, current practices and barriers to further involvement. OWH is requesting two years of OMB approval to enable sampling, screening, and survey implementation.

### ESTIMATED ANNUALIZED BURDEN TABLE

Type of respondent	Form name	Number of respondents	Number responses per respondent	Average burden per response (in hours)	Total burden (in hours)
Medical Secretary .....	Screener .....	1,300	1	5/60	108
Physician .....	Survey .....	600	1	30/60	300
Total .....	.....	.....	.....	.....	408

**Keith A. Tucker,**

*Office of the Secretary, Paperwork Reduction Act Reports Clearance Officer.*

[FR Doc. 2012-3210 Filed 2-10-12; 8:45 am]

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2011-P-0292]

### Determination That KAPVAY (Clonidine Hydrochloride) Extended-Release Tablets, 0.2 Milligram, Was Not Withdrawn From Sale for Reasons of Safety or Effectiveness

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) has determined that KAPVAY (clonidine hydrochloride) Extended-Release Tablets, 0.2 milligram (mg), was not withdrawn from sale for reasons of safety or effectiveness. This determination will allow FDA to approve abbreviated new drug applications (ANDAs) for clonidine hydrochloride extended-release tablets, 0.2 mg, if all other requirements are met.