

- Total risk-based ratio: PCA total capital divided by risk-weighted assets.
- Tier 1 growth to asset growth: Annual growth of PCA tier 1 capital divided by annual growth of total assets.
- Regulatory capital to internally-determined capital needs: PCA tier 1 and total capital divided by internally-determined capital needs as determined from economic capital models, internal capital adequacy assessments processes (ICAAP), or similar processes.
- Qualitative and mitigating capitalization factors: Includes considerations such as strength of capital planning and ICAAP processes, and the strength of financial support provided by the parent.

#### *Asset Quality*

- Non-performing assets to tier 1 capital: Nonaccrual loans, loans past due over 90 days, and other real estate owned divided by PCA tier 1 capital.
- ALLL to loans: Allowance for loan and lease losses plus allocated transfer risk reserves divided by total loans and leases.
- Net charge-off rate: Loan and lease losses charged to the allowance for loan and lease losses (less recoveries) divided by average total loans and leases.
- Earnings coverage of net loan losses: Loan and lease losses charged to the allowance for loan and lease losses (less recoveries) divided by pre-tax, pre-loan loss provision earnings.
- Higher risk loans to tier 1 capital: Sum of sub-prime loans, alternative or exotic mortgage products, leveraged lending, and other high risk lending (e.g., speculative construction or commercial real estate financing) divided by PCA tier 1 capital.
- Criticized and classified assets to tier 1 capital: Assets assigned to regulatory categories of Special Mention, Substandard, Doubtful, or Loss (and not charged-off) divided by PCA tier 1 capital.
- EAD-weighted average PD: Weighted average estimate of the probability of default (PD) for an institution's obligors where the weights are the estimated exposures-at-default (EAD). PD and EAD risk metrics can be defined using either the Basel II framework or internally defined estimates.
- EAD-weighted average LGD: Weighted average estimate of loss given default (LGD) for an institution's credit exposures where the weights are the estimated EADs for each exposure. LGD and PD risk metrics can be defined using either the Basel II framework or internally defined estimates.
- Qualitative and mitigating asset quality factors: Includes considerations such as the extent of credit risk mitigation in place; underwriting trends; strength of credit risk monitoring; and the extent of securitization, derivatives, and off-balance sheet financing activities that could result in additional credit exposure.

#### *Liquidity and Market Risk Indicators*

- Core deposits to total funding: The sum of demand, savings, MMDA, and time deposits under \$100 thousand divided by total funding sources.
- Net loans to assets: Loans and leases (net of the allowance for loan and lease losses) divided by total assets.

- Liquid and marketable assets to short-term obligations and certain off-balance sheet commitments: The sum of cash, balances due from depository institutions, marketable securities (fair value), federal funds sold, securities purchased under agreement to resell, and readily marketable loans (e.g., securitized mortgage pools) divided by the sum of obligations maturing within one year, undrawn commercial and industrial loans, and letters of credit.
- Qualitative and mitigating liquidity factors: Includes considerations such as the extent of back-up lines, pledged assets, the strength of contingency and funds management practices, and the stability of various categories of funding sources.
- Earnings and capital at risk to fluctuating market prices: Quantified measures of earnings or capital at risk to shifts in interest rates, changes in foreign exchange values, or changes in market and commodity prices. This would include measures of value-at-risk (VaR) on trading book assets.
- Qualitative and mitigating market risk factors: Includes considerations of the strength of interest rate risk and market risk measurement systems and management practices, and the extent of risk mitigation (e.g., interest rate hedges) in place.

#### **Other Market Indicators**

- Subordinated debt spreads: Dealer-provided quotes of interest rate spreads paid on subordinated debt issued by insured subsidiaries relative to comparable maturity treasury obligations.
- Credit default swap spreads: Dealer-provided quotes of interest rate spreads paid by a credit protection buyer to a credit protection seller relative to a reference obligation issued by an insured institution.
- Market-based default indicators: Estimates of the likelihood of default by an insured organization that are based on either traded equity or debt prices.
- Qualitative market indicators or mitigating market factors: Includes considerations such as agency rating outlooks, debt and equity analyst opinions and outlooks, the relative level of liquidity of any debt and equity issues used to develop market indicators defined above, and market-based indicators of the parent company.

#### **Risk Measures Pertaining to Stress Conditions**

##### *Ability To Withstand Stress Conditions*

- Concentration risk measures: Measures of the level of concentrated risk exposures and extent to which an insured institution's capital and earnings would be adversely affected due to exposures to common risk factors such as the condition of a single obligor, poor industry sector conditions, poor local or regional economic conditions, or poor conditions for groups of related obligors (e.g., subprime borrowers).
- Qualitative and mitigating factors relating to the ability to withstand stress conditions: Includes results of stress tests or scenario analyses that measure the extent of capital, earnings, or liquidity depletion under varying degrees of financial stress such as adverse economic, industry, market, and liquidity events as well as the

comprehensiveness of risk identification and stress testing analyses, the plausibility of stress scenarios considered, and the sensitivity of scenario analyses to changes in assumptions.

#### *Loss Severity Indicators*

- Subordinated liabilities to total liabilities: The sum of obligations, such as subordinated debt, that would have a subordinated claim to the institution's assets in the event of failure divided by total liabilities.
- Secured (priority) liabilities to total liabilities: The sum of claims, such as trade payables and secured borrowings, that would have priority claim to the institution's assets in the event of failure divided by total liabilities.
- Foreign assets relative to foreign deposits: The sum of assets held in foreign units relative to foreign deposits.
- Liquidation value of assets: Estimated value of assets, based largely on historical loss rates experienced by the FDIC on various asset classes, in the event of liquidation.
- Qualitative and mitigating factors relating to loss severity: Includes considerations such as the sufficiency of information and systems capabilities relating to qualified financial contracts and deposits to facilitate quick and cost efficient resolution, the extent to which critical functions or staff are housed outside the insured entity, and prospects for foreign deposit ring-fencing in the event of failure.

By order of the Board of Directors.

Dated at Washington, DC, this 8th day of May, 2007.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**  
*Executive Secretary.*

[FR Doc. E7-9196 Filed 5-11-07; 8:45 am]

BILLING CODE 6714-01-P

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## **OFFICE OF GOVERNMENT ETHICS**

### **Proposed Collection; Comment Request for Unmodified Qualified Trust Model Certificates and Model Trust Documents**

**AGENCY:** Office of Government Ethics (OGE).

**ACTION:** Notice.

**SUMMARY:** The Office of Government Ethics is publishing this first round notice and seeking comment on the twelve executive branch OGE model certificates and model documents for qualified trusts. OGE intends to submit these forms for extension of approval (up to two years) by the Office of Management and Budget (OMB) under the Paperwork Reduction Act. OGE is proposing no changes to these forms at this time. As in the past, OGE will notify filers of an update to the privacy information contained in the existing

forms, and will post a notification thereof on its Web site.

**DATES:** Written comments by the public and the agencies on this proposed extension are invited and must be received by July 13, 2007.

**ADDRESSES:** You may submit comments to OGE on this paperwork notice by any of the following methods:

*E-mail:* [usoge@oge.gov](mailto:usoge@oge.gov). (Include reference to "Qualified trust model certificates and model trust documents paperwork comment" in the subject line of the message).

*FAX:* 202-482-9237.

*Mail, Hand Delivery/Courier:* Office of Government Ethics, Suite 500, 1201 New York Avenue, NW., Washington, DC 20005-3917, Attention: Paul D. Ledvina, Records Officer, Information Resources Management Division.

**FOR FURTHER INFORMATION CONTACT:** Mr. Ledvina at the Office of Government Ethics; telephone: 202-482-9281; TDD: 202-482-9293; FAX: 202-482-9237; E-mail: [pdledvin@oge.gov](mailto:pdledvin@oge.gov). The model certificates of independence and compliance for qualified trusts are codified in appendixes A, B, and C to 5 CFR part 2634. Copies of the model trust documents are available through the Forms, Publications & Other Ethics Documents section of OGE's Web site at <http://www.usoge.gov>. Copies of the qualified trust model certificates and the model trust documents may also be obtained, without charge, by contacting Mr. Ledvina.

**SUPPLEMENTARY INFORMATION:** The Office of Government Ethics is planning to submit, after this first round notice and comment period, all twelve qualified trust model certificates and model documents described below (all of which are included under OMB paperwork control number 3209-0007) for a two-year extension of approval by OMB under the Paperwork Reduction Act (44 U.S.C. chapter 35). At that time, OGE will publish a second paperwork notice in the **Federal Register** to inform the public and the agencies. The current paperwork approval, last granted by OMB in 2005, for the model certificates and model trust documents is scheduled to expire at the end of June 2007. OGE is proposing no changes to the twelve qualified trust certificates and model documents at this time.

In 2003, OGE updated the OGE/GOVT-1 system of records notice (covering SF 278 Public Financial Disclosure Reports and other name-retrieved ethics program records), including the addition of the three new routine uses. As a result, the Privacy Act Statement on each of the qualified trust model certificates and documents,

which includes paraphrases of the routine uses, is affected. OGE has not incorporated this update into the qualified trust model certificates and documents at this time, since a more thorough revision of these information collections is planned within the next two years. Upon distribution of the trust model certificates and documents, OGE will continue to inform users of the update to the Privacy Act Statement. OGE will also post a notification thereof on its Web site to accompany the model certificates and documents.

OGE is the supervising ethics office for the executive branch of the Federal Government under the Ethics in Government Act of 1978 (Ethics Act). Presidential nominees to executive branch positions subject to Senate confirmation and any other executive branch officials may seek OGE approval for Ethics Act qualified blind or diversified trusts as one means to be used to avoid conflicts of interest.

OGE is the sponsoring agency for the model certificates and model trust documents for qualified blind and diversified trusts of executive branch officials set up under section 102(f) of the Ethics Act, 5 U.S.C. app. § 102(f), and OGE's implementing financial disclosure regulations at subpart D of 5 CFR part 2634. The various model certificates and model trust documents are utilized by OGE and settlors, trustees and other fiduciaries in establishing and administering these qualified trusts.

There are two categories of information collection requirements that OGE plans to submit for renewed paperwork approval, each with its own related reporting model certificates or model trust documents which are subject to paperwork review and approval by OMB. The OGE regulatory citations for these two categories, together with identification of the forms used for their implementation, are as follows:

i. *Qualified trust certifications*—5 CFR 2634.401(d)(2), 2634.403(b)(11), 2634.404(c)(11), 2634.406(a)(3) and (b), 2634.408, 2634.409 and appendixes A and B to part 2634 (the two implementing forms, the Certificate of Independence and Certificate of Compliance, are codified respectively in the cited appendixes; see also the Privacy Act and Paperwork Reduction Act notices thereto in appendix C); and

ii. *Qualified trust communications and model provisions and agreements*—5 CFR 2634.401(c)(1)(i) and (d)(2), 2634.403(b), 2634.404(c), 2634.408 and 2634.409 (the ten implementing forms are the: (A) Blind Trust Communications (Expedited Procedure

for Securing Approval of Proposed Communications); (B) Model Qualified Blind Trust Provisions; (C) Model Qualified Diversified Trust Provisions; (D) Model Qualified Blind Trust Provisions (For Use in the Case of Multiple Fiduciaries); (E) Model Qualified Blind Trust Provisions (For Use in the Case of an Irrevocable Pre-Existing Trust); (F) Model Qualified Diversified Trust Provisions (Hybrid Version); (G) Model Qualified Diversified Trust Provisions (For Use in the Case of Multiple Fiduciaries); (H) Model Qualified Diversified Trust Provisions (For Use in the Case of an Irrevocable Pre-Existing Trust); (I) Model Confidentiality Agreement Provisions (For Use in the Case of a Privately Owned Business); and (J) Model Confidentiality Agreement Provisions (For Use in the Case of Investment Management Activities). As noted above, blank copies of each of these model documents are posted on OGE's Web site.

The communications formats and the confidentiality agreements (items ii. (A), (I) and (J) above), once completed, would not be available to the public because they contain sensitive, confidential information. All the other completed model trust certificates and model trust documents (except for any trust provisions that relate to the testamentary disposition of trust assets) are publicly available based upon a proper Ethics Act request (by filling out an OGE Form 201 access form).

The Office of Government Ethics administers the qualified trust program for the executive branch. Therefore, the estimated burden figures provided below represent branchwide implementation of the forms. The estimated hour burden, which remains the same as last indicated by OGE in its prior second round paperwork renewal notice in 2005 (70 FR 31471-31472 June 1, 2005), is based on the amount of time imposed on a trust administrator or private representative.

i. Trust Certificates:

A. Certificate of Independence: total filers (executive branch): 5; private citizen filers (100%): 5; private citizen burden hours (20 minutes/certificate): 2.

B. Certificate of Compliance: total filers (executive branch): 10; private citizen filers (100%): 10; private citizen burden hours (20 minutes/certificate): 3; and

ii. Model Qualified Trust Documents:

A. Blind Trust Communications: total users (executive branch): 5; private citizen users (100%): 5; communications documents (private citizens): 25 (based on an average of five communications per user, per year);

private citizen burden hours (20 minutes/communication): 8.

B. Model Qualified Blind Trust: total users (executive branch): 2; private citizen users (100%): 2; private citizen burden hours (100 hours/model): 200.

C. Model Qualified Diversified Trust: total users (executive branch): 1; private citizen users (100%): 1; private citizen burden hours (100 hours/model): 100.

D.–H. Of the five remaining model qualified trust documents: total users (executive branch): 2; private citizen users (100%): 2; private citizen burden hours (100 hours/model): 200.

I.–J. Of the two model confidentiality agreements: total users (executive branch): 1; private citizen users (100%): 1; private citizen burden hours (50 hours/agreement): 50.

However, the total annual reporting hour burden on filers themselves is zero and not the 563 hours estimated above because OGE's estimating methodology reflects the fact that all respondents hire private trust administrators or other private representatives to set up and maintain the qualified blind and diversified trusts. Respondents themselves, typically incoming private citizen Presidential nominees, therefore incur no hour burden. The estimated total annual cost burden to respondents resulting from the collection of information is \$1,000,000. Those who use the model documents for guidance are private trust administrators or other private representatives hired to set up and maintain the qualified blind and diversified trusts of executive branch officials who seek to establish qualified trusts. The cost burden figure is based primarily on OGE's knowledge of the typical trust administrator fee structure (an average of 1 percent of total assets) and OGE's experience with administration of the qualified trust program. The \$1,000,000 annual cost figure is based on OGE's estimate of an average of five active trusts anticipated to be under administration for each of the next two years with combined total assets of \$100,000,000. However, OGE notes that the \$1,000,000 figure is a cost estimate for the overall administration of the trusts, only a portion of which relates to information collection and reporting. For want of a precise way to break out the costs directly associated with information collection, OGE is continuing to report to OMB the full \$1,000,000 estimate for paperwork clearance purposes.

Public comment is invited on each aspect of the model qualified trust certificates and model trust documents, and underlying regulatory provisions, as set forth in this notice, including specific views on the need for and

practical utility of this set of collections of information, the accuracy of OGE's burden estimate, the potential for enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology).

Comments received in response to this notice will be summarized for, and may be included with, the OGE request for extension of the OMB paperwork approval for the set of the various existing qualified trust model certificates, the model communications package, and the model trust documents. The comments will also become a matter of public record.

Approved: May 3, 2007.

**Robert I. Cusick,**

*Director, Office of Government Ethics.*

[FR Doc. E7-9162 Filed 5-11-07; 8:45 am]

**BILLING CODE 6345-02-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### National Toxicology Program (NTP); Liaison and Scientific Review Office; Meeting of the NTP Board of Scientific Counselors

**AGENCY:** National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health.

**ACTION:** Meeting announcement and request for comments.

**SUMMARY:** Pursuant to Public Law 92-463, notice is hereby given of a meeting of the NTP Board of Scientific Counselors (NTP BSC). The NTP BSC is composed of scientists from the public and private sectors and provides primary scientific oversight to the NTP Director and evaluates the scientific merit of the NTP's intramural and collaborative programs.

**DATES:** The NTP BSC meeting will be held on June 22, 2007. The deadlines for submission of written comments and for pre-registration for the meeting are June 8 and June 15, 2007, respectively. Persons needing special assistance, such as sign language interpretation or other reasonable accommodation in order to attend, should contact 919-541-2475 (voice), 919-541-4644 TTY (text telephone), through the Federal TTY Relay System at 800-877-8339, or by e-mail to [niehsoeoo@niehs.nih.gov](mailto:niehsoeoo@niehs.nih.gov). Requests should be made at least 7 days in advance of the event.

**ADDRESSES:** The NTP BSC meeting will be held in the Rodbell Auditorium, Rall Building at the NIEHS, 111 T.W. Alexander Drive, Research Triangle Park, NC 27709. Public comments and

any other correspondence should be submitted to Dr. Barbara Shane, Executive Secretary for the NTP BSC (NTP Liaison and Scientific Review Office, NIEHS, P.O. Box 12233, MD A3-01, Research Triangle Park, NC 27709; fax: 919-541-0295; or e-mail: [shane@niehs.nih.gov](mailto:shane@niehs.nih.gov)).

**FOR FURTHER INFORMATION CONTACT:** Dr. Barbara Shane (telephone: 919-541-4253 or e-mail: [shane@niehs.nih.gov](mailto:shane@niehs.nih.gov)).

#### SUPPLEMENTARY INFORMATION:

#### Preliminary Agenda Topics and Availability of Meeting Materials

Preliminary agenda topics include:

- Update of NTP activities.
  - Implementation of workshop and NTP retreat recommendations.
  - Review of NTP contracts.
  - NTP testing nominations.
  - Five-year plan for the NTP
- Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM)—Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM).

A copy of the preliminary agenda, committee roster, and any additional information, when available, will be posted on the NTP Web site (<http://ntp.niehs.nih.gov/go/165>) or may be requested in hardcopy from the Executive Secretary for the NTP BSC (see **ADDRESSES** above). Following the meeting, summary minutes will be prepared and made available on the NTP Web site.

#### Attendance and Registration

The meeting is scheduled for June 22, 2007, from 8:30 a.m. to adjournment and is open to the public with attendance limited only by the space available. Individuals who plan to attend are encouraged to register online at the NTP Web site by June 15, 2007 to facilitate planning for the meeting. Please note that a photo ID is required to access the NIEHS campus. The NTP is making plans to videocast the meeting through the Internet at <http://www.niehs.nih.gov/external/video.htm>.

#### Request for Comments

Time is allotted during the meeting for the public to present comments to the NTP BSC on the agenda topics. Each organization is allowed one time slot per agenda topic. At least 7 minutes will be allotted to each speaker, and if time permits, may be extended to 10 minutes at the discretion of the NTP BSC chair. Registration for oral comments will also be available on-site, although time allowed for presentation by on-site registrants may be less than that for pre-registered speakers and will be