

exclusion. Accordingly, NMFS has determined that the issuance of the IHA Renewal qualifies to be categorically excluded from further NEPA review.

Endangered Species Act

Section 7(a)(2) of the Endangered Species Act of 1973 (ESA: 16 U.S.C. 1531 *et seq.*) requires that each Federal agency insure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of designated critical habitat. To ensure ESA compliance for the issuance of IHAs, NMFS consults internally, in this case with the West Coast Region Protected Resources Division Office, whenever we propose to authorize take for endangered or threatened species.

No incidental take of ESA-listed species is authorized or expected to result from this activity. Therefore, NMFS has determined that formal consultation under section 7 of the ESA is not required for this action.

Renewal

NMFS has issued a Renewal IHA to Point Blue for the taking of marine mammals incidental to conducting seabird research in central California from the date of issuance (February 14, 2020) through July 6, 2020.

Dated: February 14, 2020.

Donna S. Wieting,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Telecommunications and Information Administration

Proposed Information Collection; Comment Request; NTIA/FCC Web-Based Frequency Coordination System

AGENCY: National Telecommunications and Information Administration, Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before April 20, 2020.

ADDRESSES: Direct all written comments to Edward F. Drocella, Office of Spectrum Management, National Telecommunications and Information Administration, 1401 Constitution Avenue NW, Room 6725, Washington, DC 20230 (or via the internet at PRAComments@doc.gov). All comments submitted in response to this notice are a part of the public record and will be made available to the public, which may include posting them on the [Regulations.gov](https://www.regulations.gov) website. Comments will generally be posted without change. Please do not include information of a confidential nature, such as sensitive personal information or proprietary information. All Personally Identifiable Information (for example, name and address) voluntarily submitted may be publicly accessible. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket. Please note that comments that include a message stating the confidentiality of the communication will be treated as public comments and will be made available to the public.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Edward F. Drocella, Office of Spectrum Management, National Telecommunications and Information Administration, 1401 Constitution Avenue NW, Room 6725, Washington, DC 20230, (202) 482-2608, edrocella@ntia.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Telecommunications and Information Administration (NTIA) hosts a web-based system that collects specific identification information (*e.g.*, company name, location and projected range of the operation, etc.) from applicants seeking authorization by the Federal Communications Commission (FCC) to operate in radio frequency (RF) bands that are shared on a co-primary basis by federal and non-federal users. The web-based system provides a means for non-federal applicants to rapidly determine the availability of RF spectrum in a specific location, or the need for detailed frequency coordination of a specific newly proposed assignment within the shared portions of the radio spectrum. The website allows proposed radio site information of a non-federal applicant to be analyzed, and a real-time determination made as to whether there is a potential for interference to, or from,

existing Federal government radio operations in the vicinity of the proposed site. This web-based coordination helps expedite the coordination process for non-federal applicants while assuring protection of government data relating to national security. The information provided by non-federal applicants will also assure the protection of the applicant's station from radio frequency interference from future government operations.

II. Method of Collection

NTIA collects the data by means of an internet web-based system. The applications on the website provide real-time responses to obtain either: (1) A validation of the coordination of a single frequency, or (2) a notification of the unavailability of a frequency at the one site and that further coordination will be required by the FCC and NTIA.

III. Data

OMB Control No: 0660-0018.

Form No.: N/A.

Type of Review: Regular submission (extension of currently approved information collection).

Affected Public: Applicants seeking to operate in the 71-76 GHz, 81-86 GHz, and 92-95 GHz radio frequency bands.

Estimated Total Number of Respondents: 5,500.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 1,375.

Estimated Total Annual Cost to Public: \$0.00.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have a practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection;

they also will become a matter of public record.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

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BUREAU OF CONSUMER FINANCIAL PROTECTION

Supervisory Highlights, Issue 21 (Winter 2020)

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Supervisory highlights.

SUMMARY: The Bureau of Consumer Financial Protection (Bureau) is issuing its twenty first edition of Supervisory Highlights. In this issue of Supervisory Highlights, we report examination findings in the areas of debt collection, mortgage servicing, payday lending and student loan servicing that were completed between April 2019 and August 2019. The report does not impose any new or different legal requirements, and all violations described in the report are based only on those specific facts and circumstances noted during those examinations.

DATES: The Bureau released this edition of the Supervisory Highlights on its website on February 14, 2020.

FOR FURTHER INFORMATION CONTACT: Jaclyn Sellers, Counsel, at (202) 435-7449. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov.

SUPPLEMENTARY INFORMATION:

1. Introduction

The Bureau of Consumer Financial Protection (Bureau) is committed to a consumer financial marketplace that is free, innovative, competitive, and transparent, where the rights of all parties are protected by the rule of law, and where consumers are free to choose the products and services that best fit their individual needs. To effectively accomplish this, the Bureau remains committed to sharing with the public key findings from its supervisory work to help industry limit risks to consumers and comply with Federal consumer financial law.

The findings included in this report cover examinations in the areas of debt collection, mortgage servicing, payday lending, and student loan servicing that were completed between April 2019 and August 2019.

It is important to keep in mind that institutions are subject only to the requirements of relevant laws and regulations. The information contained in *Supervisory Highlights* is disseminated to help institutions better understand how the Bureau examines institutions for compliance with those requirements. This document does not impose any new or different legal requirements. In addition, the legal violations described in this and previous issues of *Supervisory Highlights* are based on the particular facts and circumstances reviewed by the Bureau as part of its examinations. A conclusion that a legal violation exists on the facts and circumstances described here may not lead to such a finding under different facts and circumstances.

We invite readers with questions or comments about the findings and legal analysis reported in *Supervisory Highlights* to contact us at CFPB_Supervision@cfpb.gov.

2. Supervisory Observations

Recent supervisory observations are reported in the area of debt collection, mortgage servicing, payday lending, and student loan servicing.

2.1 Debt Collection

The Bureau's Supervision program has the authority to examine certain entities that engage in consumer debt collection activities, including nonbanks that are larger participants in the consumer debt collection market. Recent examinations of larger participant debt collectors identified one or more violations of the Fair Debt Collection Practices Act (FDCPA).

2.1.1 Failure To Disclose in Subsequent Communications That Communication is From a Debt Collector

Section 807 of the FDCPA prohibits the use of any false, deceptive, or misleading representation or means in the collection of any debt.¹ Specifically, section 807(11) of the FDCPA prohibits a collector from failing to disclose in communications subsequent to the initial written communication that the communication is from a debt collector.² Examiners found that one or more debt collectors failed to disclose in their subsequent communications that those communications were from a debt collector. In response to these findings, the collectors revised their section 807(11) policies and procedures,

monitoring and/or audit programs, and training.

2.1.2 Failure To Send Notice of Debt

Section 809(a) of the FDCPA requires that within five days after the initial communication with the consumer in connection with the collection of any debt, a debt collector must send a written validation notice unless the information is contained in the initial communication or the consumer has paid the debt.³ Examiners found that one or more debt collectors failed to send the prescribed validation notice within five days of the initial communication with the consumer regarding collection of the debt, where required. In response to these findings, the collectors revised their section 807(11) policies and procedures, monitoring and/or audit programs, and training.

2.2 Mortgage Servicing

Bureau examinations continue to focus on the loss mitigation process. Examiners determined that one or more servicers violated Regulation X, by failing to provide certain required loss mitigation notices, providing incomplete notices, or not providing notices within the time required by the regulation.⁴ These violations were caused, in part, by servicers' efforts to handle an unexpected surge in applications due to natural disasters and impacted both borrowers in disaster areas and those outside of disaster areas. The Bureau had issued a statement regarding supervisory practices during natural disasters.⁵ The statement described flexibility in Regulation X that may make it easier for servicers to assist borrowers affected by natural disasters or emergencies but does not lift any requirements. However, since the violations set forth below occurred during a time period where the servicers were making specific efforts to address borrower needs arising from natural disasters, Supervision did not issue any matters requiring attention setting forth needed corrective actions by servicers. Instead, servicers developed plans to enhance staffing capacity in response to any future disaster-related increases in loss mitigation applications.

³ 15 U.S.C. 1692(g)(a).

⁴ 12 CFR 1024.41.

⁵ Statement on Supervisory Practices Regarding Financial Institutions and Consumers Affected by a Major Disaster or Emergency—September 2018, available at <https://www.consumerfinance.gov/policy-compliance/guidance/supervisory-guidance/statement-supervisory-practices-regarding-financial-institutions-and-consumers-affected-major-disaster-or-emergency/>.

¹ 15 U.S.C. 1692(e).

² 15 U.S.C. 1692(e)(11).