

on the day the Sunshine notice is released, an *ex parte* notice must be submitted by the next business day, and any reply would be due by the following business day. If a permissible *ex parte* presentation is made during the Sunshine period (under an exception to the Sunshine period prohibition), the *ex parte* notice is due by the end of the same day on which the presentation was made, and any reply would need to be filed by the next business day. Any reply must be in writing and limited to the issues raised in the *ex parte* notice to which the reply is directed; (7) Commissioners and agency staff may continue to request *ex parte* presentations during the Sunshine period, but these presentations should be limited to the specific information required by the Commission; (8) *Ex parte* notices must be submitted electronically in machine-readable format. PDF images created by scanning a paper document may not be submitted, except in cases in which a word-processing version of the document is not available. Confidential information may continue to be submitted by paper filing, but a redacted version must be filed electronically at the same time the paper filing is submitted. An exception to the electronic filing requirement will be made in cases in which the filing party claims hardship. The basis for the hardship claim must be substantiated in the *ex parte* filing; (9) To facilitate stricter enforcement of the *ex parte* rules, the Enforcement Bureau is authorized to levy forfeitures for *ex parte* rule violations; (10) Copies of electronically filed *ex parte* notices must also be sent electronically to all staff and Commissioners present at the *ex parte* meeting so as to enable them to review the notices for accuracy and completeness. Filers may be asked to submit corrections or further information as necessary for compliance with the rules; and (11) Parties making permissible *ex parte* presentations in restricted proceedings must conform and clarify rule changes when filing an *ex parte* notice with the Commission.

The information is used by parties to permit-but-disclose proceedings, including interested members of the public, to respond to the arguments made and data offered in the presentations. The responses may then be used by the Commission in its decision-making.

The availability of the *ex parte* materials ensures that the Commission's decisional processes are fair, impartial, and comport with the concept of due process in that all interested parties can

know of and respond to the arguments made to the decision-making officials.

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

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**BILLING CODE 6712-01-P**

## **FEDERAL COMMUNICATIONS COMMISSION**

**[OMB 3060-1205; FRS 17070]**

### **Information Collection Being Reviewed by the Federal Communications Commission under Delegated Authority**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

**DATES:** Written comments should be submitted on or before November 17, 2020. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contacts below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:** The FCC may not conduct or sponsor a collection

of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

As part of its continuing effort to reduce paperwork burdens, and as required by the PRA of 1995 (44 U.S.C. 3501-3520), the FCC invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

*OMB Control No.:* 3060-1205.

*Title:* Section 74.802, Low Power Auxiliary Stations Co-channel Coordination with TV Broadcast Stations.

*Form No.:* Not Applicable.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals and households; business or other for-profit entities; not-for-profit institutions; Federal government; and state, local or tribal government.

*Number of Respondents and Responses:* 200 respondents and 200 responses.

*Estimated Time per Response:* 1.0 hour.

*Frequency of Response:* On occasion reporting requirement and third-party disclosure requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 154, 301, 303, 307, 308, 309, 310, 316, 319, 325(b), 332, 336(f), 338, 339, 340, 399b, 403, 534, 535, 1404, 1452, and 1454.

*Total Annual Burden:* 200 hours.

*Total Annual Cost:* \$25,000.

*Privacy Act Impact Assessment:* This information collection may affect individuals or households. However, the information collection consists of third-party disclosures in which the

Commission has no direct involvement. Personally identifiable information (PII) is not being collected by, made available to, or made accessible by the Commission. There are no additional impacts under the Privacy Act.

*Nature and Extent of Confidentiality:* In general there is no need for confidentiality with this collection of information.

*Needs and Uses:* On June 2, 2014, the Commission released a Report and Order, FCC 14–50, GN Docket No. 12–268, “Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions.” This order adopted a revision to a Commission rule, 47 CFR 74.802(b), to permit low power auxiliary stations (LPAS), including wireless microphones, to operate in the bands allocated for TV broadcasting at revised distances from a co-channel television’s contour, and provided LPAS operators to operate even closer to television stations proved that any such operations are coordinated with TV broadcast stations that could be affected by the LPAS operations.

The Commission seeks Office of Management and Budget (OMB) approval for an extension of the currently approved information collection for the coordination process adopted in the Commission’s Report and Order, FCC 14–50 for such co-channel operations, in 47 CFR 74.802d(b)(2).

Federal Communications Commission.

**Marlene Dortch,**

*Secretary.*

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## FEDERAL DEPOSIT INSURANCE CORPORATION

### Federal Deposit Insurance Corporation Restoration Plan

**AGENCY:** Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Notice of establishment of restoration plan.

Extraordinary growth in insured deposits during the first and second quarters of 2020 caused the Deposit Insurance Fund (the DIF or the fund) reserve ratio to decline below the statutory minimum of 1.35 percent.<sup>1</sup> As of June 30, 2020, the reserve ratio had fallen below the statutory minimum and stood at 1.30 percent, 9 basis points below the reserve ratio as of March 31, 2020, and 11 basis points below its recent peak of 1.41 percent as of December 31, 2019. Prior to 2020, the DIF reserve ratio had not decreased since the fourth quarter of 2009.

The Federal Deposit Insurance Act (the FDI Act) requires that the FDIC’s Board of Directors (Board) adopt a restoration plan when the DIF reserve ratio falls below 1.35 percent or is expected to within 6 months.<sup>2</sup> Under the FDI Act, the restoration plan must restore the reserve ratio to at least 1.35 percent within 8 years of establishing the Plan, absent extraordinary circumstances.<sup>3</sup>

Therefore, pursuant to section 7(b)(3)(E) (12 U.S.C. 1817(b)(3)(E)), the FDIC established the following Restoration Plan (or the Plan) on September 15, 2020.

1. The FDIC will monitor deposit balance trends, potential losses, and other factors that affect the reserve ratio.
2. The FDIC will maintain the current schedule of assessment rates for all insured depository institutions (IDIs).

3. At least semiannually, the FDIC will update its analysis and projections for the fund and, if necessary, recommend any modifications to the Plan, such as increasing assessment rates.

While subject to considerable uncertainty, based on a range of reasonable (though highly uncertain) estimates of future losses and assuming a return to normal insured deposit growth, the reserve ratio would return to 1.35 percent without further action by the FDIC before the end of the 8-year period beginning upon the implementation of the Plan, as required by law.

### Detailed Analysis and Basis for Actions Taken by the Restoration Plan

The FDI Act requires that the FDIC publish in the **Federal Register** a detailed analysis of the factors considered and the basis for the actions taken with regard to the Restoration Plan.<sup>4</sup> The following summarizes the analysis the FDIC conducted that formed the basis of the Restoration Plan.

#### Source of Decline in Reserve Ratio

The decline in the reserve ratio during the first half of 2020 was solely a result of extraordinary insured deposit growth. Table 1 shows the components of the reserve ratio for the last quarter of 2019 and the first two quarters of 2020. Over this period, the DIF balance grew and did not experience material losses. As of June 30, 2020, the DIF balance totaled a record \$114.7 billion, up \$4.3 billion from the end of 2019. Meanwhile, insured deposits grew by an estimated \$1 trillion, resulting in an 11 basis point decline in the reserve ratio from the end of 2019.

**TABLE 1—FUND BALANCE, ESTIMATED INSURED DEPOSITS, AND RESERVE RATIO**

[\$ In billions]

	4th Qtr 2019	1st Qtr 2020	2nd Qtr 2020
Beginning Fund Balance .....	108.9	110.3	113.2
Plus: Net Assessment Revenue .....	1.3	1.4	1.8
Plus: Investment Income <sup>a</sup> .....	0.5	2.0	0.1
Less: Loss Provisions .....	–0.1	*	*
Less: Operating Expenses .....	0.5	0.5	0.5
Ending Fund Balance <sup>b</sup> .....	110.3	113.2	114.7
Estimated Insured Deposits .....	7,815.2	8,164.2	8,837.3
Ending Reserve Ratio .....	1.41%	1.39%	1.30%

\* = Less than \$50 million.

<sup>a</sup> Includes unrealized gains/losses on available-for-sale securities.

<sup>b</sup> Components of fund balance changes may not sum to totals due to rounding.

<sup>1</sup> The reserve ratio is calculated as the ratio of the net worth of the Deposit Insurance Fund (fund balance) to the value of the aggregate estimated

insured deposits at the end of a given quarter. See 12 U.S.C. 1813(y)(3).

<sup>2</sup> 12 U.S.C. 1817(b)(3)(E)(i).

<sup>3</sup> 12 U.S.C. 1817(b)(3)(E)(ii).

<sup>4</sup> 12 U.S.C. 1817(b)(3)(E)(v).