

expenses incurred in repairing or rebuilding public transportation facilities and systems damaged by the September 11, 2001 terrorist attacks. Under the agreement, FTA would serve as the lead agency to oversee the grant and the construction of the project. In December 2003, FTA entered into a grant agreement with PANYNJ to rebuild the WTC Hub. Because the WTC Hub project was funded with FEMA grant funds, FTA's Buy America requirements did not apply to the project.

In October 2012, the WTC Hub project was an active construction site, with an estimated project completion date of December 2015. Hurricane Sandy caused extensive damage to the construction site, resulting in more than \$214 million in damage to the construction site. FTA awarded PANYNJ two grants—NY-44-X005 for \$54.24 million and NY-44-X014 for \$159.72 million—in Hurricane Sandy recovery funds to be used for recovery and emergency repair work for the WTC Hub project. Because the repair work was for an ongoing construction project, PANYNJ was required to use existing contracts that were originally procured in accordance with the requirements for the FEMA-funded WTC Hub project. To apply FTA's Buy America requirements to replace or repair equipment installed on an ongoing construction project would result in significant delay to completion of the project, impact contracts awarded under the FEMA funds, and potentially impact previously provided warranties. Moreover, if granted, the public interest waiver would maintain overall consistency of administration, oversight and implementation of both the ongoing WTC Hub project and the WTC Hurricane Sandy recovery work.

Accordingly, because the original project was funded by FEMA and therefore, not subject to FTA's Buy America regulations, FTA proposes a general public interest waiver of FTA's Buy America requirements for the two grants, NY-44-X005 for \$54.24 million and NY-44-X014 for \$159.72 million—awarded to PANYNJ. This public interest waiver is limited to the Hurricane Sandy recovery projects at the WTC Hub only, and does not apply to separately funded resiliency projects. FTA seeks comment from all interested parties on the above public interest waiver. After consideration of the comments, FTA will publish a second notice in the **Federal Register** with a response to comments and noting any changes made to the public interest

waiver as a result of the comments received.

**Ellen Partridge,**  
*Chief Counsel.*

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**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**[Docket No. DOT-OST-2016-0206]**

**Advisory Committee on Transportation Equity**

**AGENCY:** Office of the Secretary, U.S. Department of Transportation (DOT).

**ACTION:** Notice of establishment of Advisory Committee on Transportation Equity (ACTE).

**SUMMARY:** Pursuant to Section 9(a)(2) of the Federal Advisory Committee Act (FACA), and in accordance with Title 41, Code of Federal Regulations, Section 102-3.65, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the ACTE will be established for a 2-year period.

The Committee will provide advice and recommendations to the Secretary of Transportation on comprehensive, interdisciplinary issues related to transportation equity from a variety of stakeholders involved in transportation planning, design, research, policy, and advocacy. Specifically, the ACTE will inform the Department about efforts to (1) institutionalize the U.S. DOT Opportunity principles into Agency programs, policies, regulations, and activities; (2) strengthen and establish partnerships with other governmental agencies, including other Federal agencies and State, tribal, or local governments, regarding opportunity issues; (3) promote economic and related forms of opportunity by empowering communities to have a meaningful voice in local and regional transportation decisions; and (4) sharpen enforcement tools to ensure compliance with nondiscrimination programs, policies, regulations, and activities.

The U.S. DOT Opportunity principles are to:

- (1) Support transportation projects that connect people to economic and related forms of opportunity and revitalize communities;
- (2) Ensure that current and future transportation projects connect and strengthen communities; and
- (3) Develop transportation facilities that meaningfully reflect and

incorporate the input of all the people and communities they touch.

Additionally, the establishment of the ACTE is necessary for the Department to carry out its mission and in the public interest. The Committee will operate in accordance with the provisions of the Federal Advisory Committee Act and the rules and regulations issued in implementation of that Act.

**FOR FURTHER INFORMATION CONTACT:**

Barbara McCann, U.S. Department of Transportation, Office of the Secretary, Office of Policy, Room W84-310, 1200 New Jersey Avenue SE., Washington, DC 20590; phone (202) 366-8016; email: [Equity@dot.gov](mailto:Equity@dot.gov).

**SUPPLEMENTARY INFORMATION:** The Secretary of Transportation will appoint up to 15 voting members to the ACTE. Members will be selected with a view toward achieving varied perspectives on transportation equity, including (1) academia; (2) community groups; (3) industry/business; (4) non-government organizations; (5) State and local governments; and (6) federally recognized tribal governments and indigenous groups. The Secretary of Transportation will seek a membership that is fairly balanced in terms of points of view of the affected interests.

The Advisory Committee on Transportation Equity's efforts will include evaluation of the Department's work in using the principles above to achieve Opportunity objectives when carrying out its strategic, research, technological, regulatory, community engagement, and economic policy activities related to transportation and opportunity.

The Committee shall act solely in an advisory capacity and will not exercise program management responsibilities. Decisions directly affecting implementation of transportation policy will remain with the Secretary.

Members of the Advisory Committee on Transportation Equity may be selected to serve either as representative members or as members appointed solely for their expertise. The latter will serve as special Government employees and will be subject to certain ethical restrictions, and such members will be required to submit certain information in connection with the appointment process.

Committee members may serve for a term of 2 years or less and may be reappointed for successive terms, with no more than 2 successive terms. The Chair and Vice Chair of the Committee will be appointed by the Under Secretary of Transportation for Policy from among the selected members, and the Committee is expected to meet

approximately two times per year or as necessary. Subcommittees may be formed to address specific transportation equity issues.

The Committee will make recommendations that provide timely, comprehensive, inclusive advice to the Secretary on transportation opportunity public policy issues that advance the principles of providing opportunity and access to everyone.

Issued in Washington, DC, on October 27, 2016.

**Blair C. Anderson,**

*Under Secretary of Transportation for Policy.*

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**BILLING CODE 4910-9X-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Information Collection Renewal; Comment Request; Appraisals for Higher-Priced Mortgage Loans

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury.

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

**SUMMARY:** The OCC, 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 a continuing information collection as required by the Paperwork Reduction Act of 1995 (PRA).

In accordance with the requirements of the PRA, the OCC may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number.

The OCC is soliciting comment concerning renewal of its information collection titled, "Appraisals for Higher-Priced Mortgage Loans."

**DATES:** Comments must be submitted on or before January 3, 2017.

**ADDRESSES:** Because paper mail in the Washington, DC area and at the OCC is subject to delay, commenters are encouraged to submit comments by email, if possible. Comments may be sent to: Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Attention: 1557-0313, 400 7th Street SW., Suite 3E-218, mail stop 9W-11, Washington, DC 20219. In addition, comments may be sent by fax to (571) 465-4326 or by electronic mail to [prainfo@occ.treas.gov](mailto:prainfo@occ.treas.gov).

You may personally inspect and photocopy comments at the OCC, 400 7th Street SW., Washington, DC 20219. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect and photocopy comments.

All comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

#### FOR FURTHER INFORMATION CONTACT:

Shaquita Merritt, OCC Clearance Officer, (202) 649-5490 or, for persons who are deaf or hard of hearing, TTY, (202) 649-5597, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 400 7th Street SW., Suite 3E-218, mail stop 9W-11, Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the OMB for each collection of information that they conduct or sponsor.

"Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) to include agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of title 44 requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, the OCC is publishing notice of the proposed collection of information set forth in this document.

This information collection relates to section 1471 of the Dodd-Frank Act, which added a new section 129H to the Truth in Lending Act (TILA) establishing special appraisal requirements for "higher-risk mortgages." For certain mortgages with an annual percentage rate that exceeds the average prime offer rate by a specified percentage, creditors must obtain an appraisal or appraisals meeting certain specified standards, provide applicants with a notification regarding the use of the appraisals, and give applicants a copy of the written

appraisals used. The statute permits the OCC to issue a rule to include exemptions from these requirements.

The information collection requirements are found in 12 CFR 34.203(c)(1), (c)(2), (d), (e) and (f). This information is required to protect consumers and promote the safety and soundness of creditors making higher-priced mortgage loans (HPMLs) subject to 12 CFR part 34, subpart G. This information is used by creditors to evaluate real estate collateral securing HPMLs subject to 12 CFR 1026.35(c) and by consumers entering these transactions. The collections of information are mandatory for creditors making HPMLs subject to 12 CFR part 34, subpart G.

Under 12 CFR 34.203(e) and (f), a creditor must, no later than the third business day after the creditor receives a consumer's application for an HPML, provide a disclosure to the consumer that informs the consumer of the purpose of the appraisal, that the creditor will provide the consumer with a copy of any appraisal, and that the consumer may choose to have a separate appraisal conducted at the expense of the consumer (Initial Appraisal Disclosure). If a loan is an HPML subject to 12 CFR 1026.35(c), then the creditor is required to obtain a written appraisal prepared by a certified or licensed appraiser who conducts a physical visit of the interior of the property that will secure the transaction (Written Appraisal) and provide a copy of the Written Appraisal to the consumer. Under 12 CFR 34.203(d)(1), a creditor is required to obtain an additional appraisal (Additional Written Appraisal) for an HPML that is subject to 12 CFR part 34, subpart G if: (1) The seller acquired the property securing the loan 90 or fewer days prior to the date of the consumer's agreement to acquire the property and the resale price exceeds the seller's acquisition price by more than 10 percent; or (2) the seller acquired the property securing the loan 91 to 180 days prior to the date of the consumer's agreement to acquire the property and the resale price exceeds the seller's acquisition price by more than 20 percent.

Under 12 CFR 34.203(d)(3) and (4), the Additional Written Appraisal must meet the requirements described in 12 CFR 34.203(c)(1) and also include an analysis of: (1) The difference between the price at which the seller acquired the property and the price the consumer agreed to pay; (2) changes in market conditions between the date the seller acquired the property and the date the consumer agreed to acquire the property; and (3) any improvements