

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 application also will 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 October 21, 2011.

**A. FEDERAL RESERVE BANK OF RICHMOND** (Adam M. Drimer, Assistant Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. *Eagle Bancorp, Inc.*, Bethesda, Maryland; to merge with Alliance Bankshares Corporation, Chantilly, Virginia, and thereby indirectly acquire Alliance Bank Corporation, Fairfax, Virginia.

Board of Governors of the Federal Reserve System, September 21, 2011.

**Robert deV. Frierson,**

*Deputy Secretary of the Board.*

[FR Doc. 2011-24620 Filed 9-23-11; 8:45 am]

**BILLING CODE 6210-01-P**

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## FEDERAL TRADE COMMISSION

### Agency Information Collection Activities; Proposed Collection; Comment Request; Extension

**AGENCY:** Federal Trade Commission (“Commission” or “FTC”).

**ACTION:** Notice.

**SUMMARY:** The information collection requirements described below will be submitted to the Office of Management and Budget (“OMB”) for review, as required by the Paperwork Reduction Act (“PRA”). The FTC is seeking public comments on its proposal to extend through December 31, 2014, the current PRA clearance for information collection requirements contained in the

Commission’s Business Opportunity Rule (“Rule”). The current clearance expires on December 31, 2011.

**DATES:** Comments must be submitted on or before November 25, 2011.

**ADDRESSES:** Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY INFORMATION** section below. Write “16 CFR Part 437: Paperwork Comment, FTC File No. P114408” on your comment, and file your comment online at <https://ftcpublish.commentworks.com/ftc/BusinessOptionRulePRA> by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex J), 600 Pennsylvania Avenue, NW., Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be addressed to Christine M. Todaro (202) 326-3711, Division of Marketing Practices, Room 286, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:** Under the PRA, 44 U.S.C. 3501-3521, Federal agencies must obtain approval from OMB for each collection of information they conduct or sponsor. “Collection of information” means agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. 44 U.S.C. 3502(3); 5 CFR 1320.3(c). As required by section 3506(c)(2)(A) of the PRA, the FTC is providing this opportunity for public comment before requesting that OMB extend the existing clearance for the information collection requirements contained in the Business Opportunity Rule, 16 CFR part 437 (OMB Control Number 3084-0142).

The FTC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection

techniques or other forms of information technology, e.g., permitting electronic submission of responses.

The Rule is designed to ensure that prospective purchasers of a business opportunity receive information that will help them evaluate the opportunity that is presented to them. Part 437 was promulgated in March of 2007, concurrently with the amendment of the Franchise Rule. Part 437 mirrors the requirements and prohibitions of the original Franchise Rule, and imposes no additional disclosure or recordkeeping obligations or prohibitions.<sup>1</sup> The Rule requires business opportunity sellers to furnish to prospective purchasers a disclosure document that provides information relating to the seller, the seller’s business, the nature of the proposed business opportunity, as well as additional information regarding any claims about actual or potential sales, income, or profits for a prospective business opportunity purchaser. The seller must also preserve information that forms a reasonable basis for such claims. These requirements are subject to the PRA.

*Estimated annual hours burden:* 16,750 hours.

Based on a review of trade publications and information from state regulatory authorities, staff believes that, on average, from year to year, there are approximately 2,500 business opportunity sellers, with perhaps about 10% of that total reflecting an equal amount of new and departing business entrants.

The burden estimates for compliance will vary depending on the particular business opportunity seller’s prior experience with the original Franchise Rule. Staff estimates that 250 or so new business opportunity sellers will enter the market each year, requiring approximately 30 hours each to develop a Rule-compliant disclosure document. Thus, staff estimates that the cumulative annual disclosure burden for new business opportunity sellers will be approximately 7,500 hours. Staff further estimates that the remaining 2,250

<sup>1</sup> In March of 2008, the Commission published the Business Opportunity Rule Revised Notice of Proposed Rulemaking, 73 FR 16110 (March 26, 2008) (“Notice”). The Notice proposed amending the Business Opportunity Rule substantially, and would, among other things, reduce the number of required disclosures by sellers of business opportunities to prospective purchasers. Conversely, the Notice proposed amending the rule to expand the coverage of entities required to make disclosures to include a broader array of business opportunities than those covered by the original Franchise Rule. For now, however, only those businesses opportunities covered by the original Franchise Rule—such as vending machine and rack display opportunities—remain covered under part 437.

established business opportunity sellers will require no more than approximately 3 hours each to update their disclosure document. Accordingly, the cumulative estimated annual disclosure burden for established business opportunity sellers will be approximately 6,750 hours.

Business opportunity sellers may need to maintain additional documentation for the sale of business opportunities in states not currently requiring these records as part of their regulation of business opportunity sellers. This might entail an additional hour of recordkeeping per year. Accordingly, staff estimates that business opportunity sellers will cumulatively incur approximately 2,500 hours of recordkeeping burden per year (2,500 business opportunity sellers × 1 hour).

Thus, the total burden for business opportunity sellers is approximately 16,750 hours (7,500 hours of disclosure burden for new business opportunity sellers + 6,750 hours of disclosure burden for established business opportunity sellers + 2,500 of recordkeeping burden for all business opportunity sellers).

*Estimated annual labor cost:* \$3,600,000.

Labor costs are determined by applying applicable wage rates to associated burden hours. Staff presumes an attorney will prepare or update the disclosure document at an estimated \$250 per hour.<sup>2</sup> As applied, this would yield approximately \$3,562,500 in labor costs attributable to compliance with the Rule's disclosure requirements ((250 new business opportunity sellers × \$250 per hour × 30 hours per seller) + (2,250 established business opportunity sellers × \$250 per hour × 3 hours per seller)).

Staff anticipates that recordkeeping would be performed by clerical staff at approximately \$15 per hour.<sup>3</sup> At 2,500 hours per year for all affected business opportunity sellers (see above), this amounts to an estimated \$37,500 of recordkeeping cost. Thus, the combined labor costs for recordkeeping and disclosure for business opportunity sellers is approximately \$3,600,000.

*Estimated non-labor cost:* \$3,887,500.

Business opportunity sellers must also incur costs to print and distribute the disclosure document. These costs

vary based upon the length of the disclosures and the number of copies produced to meet the expected demand. Staff estimates that 2,500 business opportunity sellers print and mail 100 documents per year at a cost of \$15 per document, for a total cost of \$3,750,000 (2,500 business opportunity sellers × 100 documents per year × \$15 per document).

Business opportunity sellers must also complete and disseminate an FTC-required cover sheet that identifies the business opportunity seller, the date the document is issued, a table of contents, and a notice that tracks the language specifically provided in the Rule. Although some of the language in the cover sheet is supplied by the government for the purpose of disclosure to the public, and is thus excluded from the definition of "collection of information" under the PRA, *see* 5 CFR 1320.3(c)(2), there are residual costs to print and mail these cover sheets, including within them the presentation of related information beyond the supplied text. Staff estimates that 2,500 business opportunity sellers complete and disseminate 100 cover sheets per year at a cost of approximately \$0.55 per cover sheet, or a total cost of approximately \$137,500 (2,500 business opportunity sellers × 100 cover sheets per year × \$0.55 per cover sheet).

Accordingly, the cumulative non-labor cost incurred by business opportunity sellers each year attributable to compliance will be approximately \$3,887,500 (\$3,750,000 for printing and mailing documents + \$137,500 for completing and mailing cover sheets).

#### Request for Comment

You can file a comment online or on paper. For the FTC to consider your comment, we must receive it on or before November 25, 2011. Write "16 CFR part 437: Paperwork Comment, FTC File No. P114408" on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the public Commission Web site, at <http://www.ftc.gov/os/publiccomments.shtml>. As a matter of discretion, the Commission tries to remove individuals' home contact information from comments before placing them on the Commission Web site.

Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, like anyone's Social

Security number, date of birth, driver's license number or other state identification number or foreign country equivalent, passport number, financial account number, or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, like medical records or other individually identifiable health information. In addition, do not include any "[t]rade secret or any commercial or financial information which is obtained from any person and which is privileged or confidential \* \* \*," as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2). If you want the Commission to give your comment confidential treatment, you must file it in paper form, with a request for confidential treatment, and you have to follow the procedure explained in FTC Rule 4.9(c), 16 CFR 4.9(c).<sup>4</sup> Your comment will be kept confidential only if the FTC General Counsel, in his or her sole discretion, grants your request in accordance with the law and the public interest.

Postal mail addressed to the Commission is subject to delay due to heightened security screening. As a result, we encourage you to submit your comments online, or to send them to the Commission by courier or overnight service. To make sure that the Commission considers your online comment, you must file it at <https://ftcpublic.commentworks.com/ftc/BusinessOptionRulePRA> by following the instructions on the web-based form. If this Notice appears at <http://www.regulations.gov/#!home>, you also may file a comment through that Web site.

If you file your comment on paper, write "16 CFR part 437: Paperwork Comment, FTC File No. P114408" on your comment and on the envelope, and mail or deliver it to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex J), 600 Pennsylvania Avenue, NW., Washington, DC 20580. If possible, submit your paper comment to the Commission by courier or overnight service.

Visit the Commission Web site at <http://www.ftc.gov> to read this Notice and the news release describing it. The FTC Act and other laws that the Commission administers permit the collection of public comments to

<sup>2</sup> Based upon staff's informal discussions with several franchises in various regions of the country.

<sup>3</sup> Based on the "National Compensation Survey: Occupational Wages in the United States, 2010," U.S. Department of Labor, Bureau of Labor Statistics (May 2011), available at <http://www.bls.gov/ncs/ocs/sp/ncb1477.pdf>. Clerical estimates are derived from the above source data, rounded upward, for "new accounts clerks."

<sup>4</sup> In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request, and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c), 16 CFR 4.9(c).

consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments that it receives on or before November 25, 2011. You can find more information, including routine uses permitted by the Privacy Act, in the Commission's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

**David C. Shonka,**

*Acting General Counsel.*

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## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Office of the Secretary**

#### **Statement of Organization, Functions and Delegations of Authority**

Part A (Office of the Secretary), Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (HHS) is being amended at Chapter AE, Office of the Assistant Secretary for Planning and Evaluation (ASPE), as last amended at 66 FR 61341-42 dated September 30, 2002 and most recently at 73 FR 19977, dated April 16, 2010 and at 76 FR 19361-62, dated April 7, 2011. This notice establishes a fourth division under the Office of Health Policy (HP) and restates HP's functional statement in its entirety. The changes are as follows:

I. *Under Section AE.20 Functions, deleted Paragraph B, Office of Health Policy (AEH), in its entirety and replace with the following:*

*B. The Office of Health Policy (AEH)*

The Office of Health Policy (HP) is responsible for policy development and coordination and for the conduct and coordination of research, evaluation, and data, on matters relating to health systems, services, and financing. Functions include policy and long-range planning; policy, economic, program and budget analysis; evaluation; review of regulations and development of legislation. Health policy matters includes public health, health services and systems, public and private health insurance, health care financing, health care quality, consumer health information, and the interaction among these matters and sectors. HP is responsible for developing and coordinating a health policy research, information, and analytical program to gain information concerning health services, public health, delivery systems and financing. The Office works closely with other ASPE and HHS offices on

these matters, coordinates and shares information across Federal agencies, and collaborates with the health policy and health services research community. HP works closely with the Department's Centers for Medicare & Medicaid Services, the Agency for Healthcare Research and Quality, the Health Resources and Services Administration, the Indian Health Service, The Office of the Assistant Secretary of Health, the Substance Abuse and Mental Health Services Administration, and other HHS agencies.

1. The Division of Health Care Financing Policy (AEH1) is responsible for policies and functions of the office concerning health care financing and health care costs, principally Federal health care financing related to the Department's Medicare program, including matters concerning structural changes and modernization for the long-term, such as drug benefits, coverage and eligibility, new technology, new delivery systems, and payments for services. This includes development of studies, policies, and mechanisms concerning the financing and delivery of health care for the Medicare population as well as evaluations of programs and delivery system innovations. The division monitors, analyzes, and maintains liaison with programs and policies in the Department and outside the Department that effect functions of the Division.

2. The Division of Public Health Services Policy (AEH2) is responsible for the functions of the office related to public health services and policies. The division conducts and develops analyses, studies, evaluations, and guidelines on matters such as: monitoring and addressing public health services resources and needs; assessing the design and effectiveness of health promotion/disease prevention endeavors; monitoring and addressing health disparities; projecting workforce needs; developing options for addressing workforce needs and shortages; developing options for improving the interaction between the medical services delivery system and population-based public health services; and addressing numerous other issues affecting both public and private healthcare services endeavors. The division monitors, analyzes, and maintains liaison with programs and policies both inside and outside the Department that effect functions of the Division's mission.

3. The Division of Health Care Access and Coverage Policy (AEH3) focuses on oversight of the private health insurance marketplace and the financing and

delivery of health care services for low-income populations. The division is responsible for the functions of the office with respect to private health insurance, the Medicaid program, the Children's Health Insurance Program, coverage for the uninsured, and other policies and programs to help low income individuals and families have access to health care services. This includes development of studies, policies, and mechanisms that integrate the financing and delivery of health care services for this population. This division will collaborate with the Division of Health Care Financing Policy on issues effecting populations who are dually eligible for Medicare and Medicaid and other crosscutting areas. The division monitors, analyzes, and maintains liaison with programs and policies in the Department and outside the Department that effect functions of the Division.

4. The Division of Health Care Quality and Outcomes Policy (AEH4) is responsible for functions related to quality measurement and improvement, performance reporting and performance incentives, and patient-centered outcomes research. This includes development of studies, policies, and mechanisms to support data infrastructure development to support outcomes research as well as developing and disseminating evidence relating to patient outcomes research. The division monitors, analyzes, and maintains liaison with programs and policies in the Department and outside the Department that effect functions of the Division.

II. *Delegations of Authority:* All delegations and redelegations of authority made to officials and employees of affected organizational components will continue in them or their successors pending further redelegation, provided they are consistent with this reorganization.

Dated: September 19, 2011.

**E.J. Holland, Jr.,**

*Assistant Secretary for Administration.*

[FR Doc. 2011-24621 Filed 9-23-11; 8:45 am]

**BILLING CODE 4150-04-P**

## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Administration for Children and Families**

#### **Proposed Information Collection Activity; Comment Request**

*Title:* Responsible Fatherhood Reentry Strategies Study—Discussion Guides.  
*OMB No.:* New Collection.