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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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DEFENSE NUCLEAR FACILITIES SAFETY BOARD

10 CFR Part 1704

[Docket No. RM-90-1]

Rules Implementing the Government in the Sunshine Act; Correction

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Correcting amendments.

SUMMARY: The Defense Nuclear Facilities Safety Board (Board) published a document in the **Federal Register** on March 7, 1991 (56 FR 9609), implementing the provisions of the Government in the Sunshine Act. Subsequently, the Fiscal Year 2013 National Defense Authorization Act further amended the Atomic Energy Act of 1954, changing and renumbering the Board's enabling legislation. This document corrects the final regulations by changing the referenced sections in the Board's rules implementing the Government in the Sunshine Act.

DATES: Effective July 21, 2014.

FOR FURTHER INFORMATION CONTACT: Richard N. Reback, Acting General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW., Suite 700, Washington, DC 20004-2901, (202) 694-7000.

SUPPLEMENTARY INFORMATION: This is a summary of the Board's changes to its rules implementing the Government in the Sunshine Act.

List of Subjects in 10 CFR Part 1704 Sunshine Act

Accordingly, 10 CFR Part 1704 is amended by making the following correcting amendment:

PART 1704—RULES IMPLEMENTING THE GOVERNMENT IN THE SUNSHINE ACT

■ 1. The authority citation for part 1704 continues to read as follows:

Authority: 5 U.S.C. 552b; 42 U.S.C. 2286, 2286b(c).

■ 2. In § 1704.4(c):

■ a. Redesignate paragraphs (c)(1) and (2) as paragraphs (c)(1)(i) and (ii), respectively;

■ b. Redesignate paragraph (c) introductory text as paragraph (c)(1); and

■ c. Designate the undesignated text as paragraph (c)(2) and revise it.

The revision reads as follows:

§ 1704.4 Grounds on which meetings may be closed or information may be withheld.

* * * * *

(c) * * *

(2) This exemption applies to Board meetings, or portions of meetings, involving deliberations regarding recommendations which, under 42 U.S.C. 2286d(b) and (h)(3), may not be made publicly available until after they have been received by the Secretary of Energy or the President, respectively; Defense Nuclear Facilities Safety Board.

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Richard N. Reback,
Acting General Counsel.

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BILLING CODE 3670-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Parts 336 and 390

RIN 3064-AD98

Transferred OTS Regulations and FDIC Regulations Regarding Post-Examination Activities of Senior Examiners

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Final rule.

SUMMARY: The Federal Deposit Insurance Corporation ("FDIC") is adopting a final rule ("Final Rule") to rescind and remove regulations transferred to the FDIC following dissolution of the former Office of Thrift Supervision ("OTS") in connection with

the implementation of applicable provisions of Title III of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"). Section 316(b)(3) of the Dodd-Frank Act provided that the former OTS rules that were transferred to the FDIC would be enforceable by or against the FDIC until they were modified, terminated, set aside, or superseded in accordance with applicable law by the FDIC, by any court of competent jurisdiction, or by operation of law.

DATES: The Final Rule is effective on August 20, 2014.

FOR FURTHER INFORMATION CONTACT:

Robert J. Fagan, Ethics Program Manager, Legal Division (703) 562-2704 or rfagan@fdic.gov; Michelle Borzillo, Senior Counsel, Legal Division (703) 562-6083 or mborzillo@fdic.gov; or Randy Thomas, Counsel, Legal Division (703) 562-6454 or ranthomas@fdic.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Beginning July 21, 2011, the transfer date established by section 311 of the Dodd-Frank Act, 12 U.S.C. 5411, the powers, duties, and functions of the former OTS were divided among the FDIC as to State savings associations, the Office of the Comptroller of the Currency ("OCC") as to Federal savings associations, and the Board of Governors of the Federal Reserve System as to savings and loan holding companies.¹ Section 316(b) of the Dodd-Frank Act, 12 U.S.C. 5414(b), provides the manner of treatment for all orders, resolutions, determinations, regulations, and advisory materials that had been issued, made, prescribed, or allowed to become effective by the OTS. The section provides that if such regulatory issuances were in effect on the day before the transfer date, they continue in effect and are enforceable by or against the appropriate successor agency until they are modified, terminated, set aside, or superseded in accordance with applicable law by such successor agency, by any court of competent jurisdiction, or by operation of law.

The Dodd-Frank Act directed the FDIC and OCC to consult with one another and to publish a list of continued OTS regulations to be

¹Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. 111-203, 124 Stat. 1376 (2010).