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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

6 CFR Part 5

[Docket No. DHS-2011-0031]

Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security/U.S. Coast Guard—008 Courts Martial Case Files System of Records; Correction

AGENCY: Privacy Office, DHS.

ACTION: Final rule; correction.

SUMMARY: The Department of Homeland Security published in the **Federal Register** of May 13, 2011 a final rule that amended its regulations to exempt portions of a Department of Homeland Security/U.S. Coast Guard system of records titled, “Department of Homeland Security/U.S. Coast Guard—008 Courts Martial Case Files System of Records” from certain provisions of the Privacy Act. Inadvertently the wrong paragraph number was designated in the regulatory text. This document corrects that error.

DATES: This final rule is effective July 6, 2011.

FOR FURTHER INFORMATION CONTACT: For general questions please contact Marilyn Scott-Perez (202-475-3515), Privacy Officer, U.S. Coast Guard. For privacy issues please contact Mary Ellen Callahan (703-235-0780), Chief Privacy Officer, Privacy Office, U.S. Department of Homeland Security, Washington, DC 20528.

SUPPLEMENTARY INFORMATION: The Department of Homeland Security published a document in the **Federal Register** of May 13, 2011, a final rule that amended its regulations to exempt portions of a Department of Homeland Security/U.S. Coast Guard system of records titled, “Department of

Homeland Security/U.S. Coast Guard -008 Courts Martial Case Files System of Records” from certain provisions of the Privacy Act. Specifically, the Department amended Appendix C to 6 CFR part 5 to exempt portions of the Department of Homeland Security/U.S. Coast Guard—008 Courts Martial Case Files System of Records from one or more provisions of the Privacy Act because of criminal, civil, and administrative enforcement requirements. Inadvertently the paragraph designator “12” was used in the regulatory text instead of “54.” This document corrects that error.

Accordingly, 6 CFR part 5, appendix C is corrected as follows:

PART 5—DISCLOSURE OF RECORDS AND INFORMATION

- 1. The authority citation for part 5 continues to read as follows:

Authority: Pub L. 107-296, 116 Stat. 2135; (6 U.S.C. 101 *et seq.*); 5 U.S.C. 301.

Appendix C to Part 5—[Corrected]

- 2. In appendix C to part 5, the paragraph “12” following paragraph 53 is redesignated as “54.”

Dated: June 21, 2011.

Mary Ellen Callahan,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2011-16805 Filed 7-5-11; 8:45 am]

BILLING CODE 9110-04-P

DEPARTMENT OF ENERGY

10 CFR Part 430

[Docket Number EERE-2011-BT-STD-0011]

RIN 1904-AC06

Energy Conservation Program: Energy Conservation Standards for Residential Furnaces and Residential Central Air Conditioners and Heat Pumps; Correction

AGENCY: Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy.

ACTION: Direct final rule; correction.

SUMMARY: This document corrects the preamble to a direct final rule (DFR) which was published in the **Federal Register** on June 27, 2011, regarding the Energy Conservation Program: Energy

Conservation Standards for Residential Furnaces and Residential Central Air Conditioners and Heat Pumps. This correction revises the DFR’s discussion of review under the Regulatory Flexibility Act (RFA) in section V, “Procedural Issues and Regulatory Review.”

DATES: Effective October 25, 2011.

FOR FURTHER INFORMATION CONTACT: Mr. Mohammed Khan (furnaces) or Mr. Wesley Anderson (central air conditioners and heat pumps), U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121.

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Mohammed.Khan@ee.doe.gov or

Wes.Anderson@ee.doe.gov.

Mr. Eric Stas or Ms. Jennifer Tiedeman, U.S. Department of Energy, Office of the General Counsel, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585-0121.

Telephone: (202) 586-9507 or (202) 287-6111. E-mail: *Eric.Stas@hq.doe.gov* or *Jennifer.Tiedeman@hq.doe.gov*.

Correction

In direct final rule document FR 2011-14557 appearing on page 37408, in the issue of Monday, June 27, 2011, the following corrections should be made:

1. On page 37540, in the third column, the first two paragraphs under section B, “Review Under the Regulatory Flexibility Act,” are corrected to read as follows:

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of an initial regulatory flexibility analysis (IRFA) for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by Executive Order 13272, “Proper Consideration of Small Entities in Agency Rulemaking,” 67 FR 53461 (August 16, 2002), U.S. Department of Energy (DOE) published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the

General Counsel's Web site (<http://www.gc.doe.gov>).

DOE reviewed today's direct final rule and corresponding NOPR pursuant to the Regulatory Flexibility Act and the procedures and policies published on February 19, 2003. 68 FR 7990. Set forth below is DOE's initial regulatory flexibility analysis for the standards proposed in the NOPR, published elsewhere in today's **Federal Register**. DOE will consider any comments on the analysis or economic impacts of the rule in determining whether to proceed with the direct final rule. DOE will publish its final regulatory flexibility analysis (FRFA), including responses to any comments received, in a separate notice at the conclusion of the 110-day comment period. A description of the reasons why DOE is adopting the standards in this rule and the objectives of and legal basis for the rule are set forth elsewhere in the preamble and not repeated here.

Issued in Washington, DC, on June 29, 2011.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Office of Technology Development, Energy Efficiency and Renewable Energy.

[FR Doc. 2011-16884 Filed 7-5-11; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Chapter I

[Docket ID OCC-2011-0017]

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Chapter III

RIN 3064-ZA01

List of Office of Thrift Supervision Regulations to be Enforced by the Office of the Comptroller of the Currency and the Federal Deposit Insurance Corporation Pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act

AGENCY: Office of the Comptroller of the Currency, Treasury (OCC); Federal Deposit Insurance Corporation (FDIC).

ACTION: Joint notice.

SUMMARY: The Dodd-Frank Wall Street Reform and Consumer Protection Act (Act), transfers to the OCC the functions of the Office of Thrift Supervision (OTS) relating to Federal savings associations

and also transfers to the OCC rulemaking authority of the OTS and the Director of the OTS, respectively, relating to all savings associations. Functions of the OTS relating to State savings associations are transferred to the FDIC. Section 316(c) of the Act requires the OCC and the FDIC, after consultation with one another, to identify those regulations of the OTS that are continued under Section 316(b) of the Act that the OCC, with respect to Federal savings associations, and the FDIC, with respect to State savings associations, will enforce, and to publish a list of those regulations in the **Federal Register**. This joint notice sets out the required lists of both the OCC and the FDIC.

FOR FURTHER INFORMATION CONTACT:

OCC: Andra Shuster, Senior Counsel, Heidi Thomas, Special Counsel, or Mary Gottlieb, Regulatory Specialist, Legislative and Regulatory Activities Division, (202) 874-5090, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

FDIC: Ann Johnson Taylor, Counsel, (202) 898-3573; Rodney D. Ray, Counsel, (202) 898-3556; or Martin P. Thompson, Senior Review Examiner, (202) 898-6767, Federal Deposit Insurance Corporation, 550 17 St. NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: The Act, signed into law on July 21, 2010,¹ transfers all functions of the OTS and the Director as well as all of the powers, authorities, rights, and duties vested in the OTS and the Director of the OTS relating to the transferred functions to the OCC, FDIC and the Board of Governors of the Federal Reserve System (the Board). All functions, powers, authorities, rights, and duties relating to Federal savings associations are transferred to the OCC and the Comptroller of the Currency; all functions, powers, authorities, rights, and duties relating to State savings associations are transferred to the FDIC; and all functions, powers, authorities, rights, and duties relating to the supervision of savings and loan holding companies (SLHCs) and any subsidiaries of such SLHCs other than depository institutions are transferred to the Board. The Act transfers rulemaking authority of the OTS and the Director of the OTS relating to savings associations to the OCC and the Comptroller of the Currency, and transfers rulemaking authority of the OTS and the Director of the OTS relating to SLHCs to the

Board.² The transfer of OTS functions will take place on July 21, 2011. The Act abolishes the OTS 90 days after the transfer date.

Section 316(b) of the Act provides for the continuation of OTS regulations and enforcement of such regulations that have been issued in performance of the functions transferred by Title III of the Act. Section 316(c) of the Act requires the OCC and FDIC, after consultation with each other, to identify those regulations of the OTS that are continued under Section 316(b) of the Act that will be enforced by each agency and publish a list of those regulations in the **Federal Register**.³ This list must be published no later than the transfer date.

This joint notice sets out both the OCC's and the FDIC's lists of OTS regulations that each agency will enforce beginning on the transfer date: The OCC, with respect to Federal savings associations; and the FDIC, with respect to State savings associations.⁴ This joint notice is not intended to have any substantive effect on the regulations at issue; rather it provides a reference for Federal savings associations that will be regulated and supervised by the OCC beginning on the transfer date and for State savings associations that will be regulated and supervised by the FDIC beginning on the transfer date.⁵ Separately, the OCC also plans to issue an interim final rule with a request for comment, effective on the transfer date, that republishes those OTS regulations the OCC will enforce as of the transfer date. These regulations will be added to Chapter I of Title 12 of the Code of Federal Regulations and renumbered accordingly as OCC rules, with nomenclature and other technical amendments to reflect OCC supervision. The OCC will consider more comprehensive substantive amendments to former OTS regulations, as

² Section 312(c) of the Act designated the FDIC as the "appropriate Federal banking agency" for State savings associations. Under those statutes (and others using similar terminology) for which the "appropriate Federal banking agency" is authorized to issue regulations, the FDIC will issue regulations for State savings associations.

³ Separately, the Act requires the Board to identify the OTS regulations continued under Section 316(b) that the Board will enforce after the transfer date and to publish a list in the **Federal Register**.

⁴ As set out in the tables below, certain provisions have been excluded because they relate to the supervision of SLHCs, which will be supervised by the Board, or are superseded by the Act.

⁵ Further, publication of this list should not be construed to restrict the OCC or the FDIC from enforcing violations of OTS regulations by Federal savings associations or State savings associations, respectively, that occurred prior to the transfer date.

¹ Public Law 111-203, 124 Stat. 1376 (July 21, 2010).