

Colorado (1)

Trinidad State Junior College

Florida (4)Florida International University
Miami Dade College
Nova Southeastern University
Saint Thomas University**Illinois (2)**City Colleges of Chicago-Harold Washington
College
Triton College**New Mexico (8)**Central New Mexico Community College
Eastern New Mexico University-Main
Campus
New Mexico Highlands University
New Mexico Institute of Mining and
Technology
Northern New Mexico College
Santa Fe Community College
University of New Mexico-Main Campus
Western New Mexico University**New York (4)**CUNY Bronx Community College
CUNY City College
CUNY LaGuardia Community College
Mercy College**Puerto Rico (15)**Bayamon Central University
Institute Tecnologico de Puerto Rico-Manati
Inter American University of Puerto Rico-
Aguadilla
Inter American University of Puerto Rico-
Bayamon
Inter American University of Puerto Rico-
Metro
Inter American University of Puerto Rico-
Ponce
Inter American University of Puerto Rico-San
German
Pontifical Catholic University of Puerto Rico-
Ponce
Universidad Del Turabo
Universidad Metropolitana
University of Puerto Rico-Arecibo
University of Puerto Rico-Humacao
University of Puerto Rico-Medical Sciences
Campus
University of Puerto Rico-Rio Piedras
Campus
University of Puerto Rico-Utuado**Texas (16)**Houston Community College
Lee College
Midland College
Palo Alto College
South Plains College
Southwest Texas Junior College
Texas A&M International University
Texas A&M University-Corpus Christi
Texas A&M University-Kingsville
Texas State Technical College-Harlingen
University of Texas at Brownsville
University of Texas at El Paso
University of Texas at San Antonio
University of Texas—Pan American
University of Houston
University of the Incarnate Word**Washington (1)**

Wenatchee Valley College

Done in Washington, DC, this 26th day of
October, 2012.**Sonny Ramaswamy,***Director, National Institute of Food and
Agriculture.*

[FR Doc. 2012-27739 Filed 11-15-12; 8:45 am]

BILLING CODE 3410-22-P**FEDERAL RESERVE SYSTEM****12 CFR Part 263****[Docket No. R-1451]****Rules of Practice for Hearings****AGENCY:** Board of Governors of the
Federal Reserve System.**ACTION:** Final rule.**SUMMARY:** The Board of Governors of the
Federal Reserve System (the Board) is
amending its rules of practice and
procedure to adjust the amount of each
civil money penalty (CMP) provided by
law within its jurisdiction to account for
inflation. This action is required under
the Federal Civil Penalties Inflation
Adjustment Act of 1990, as amended by
the Debt Collection Improvement Act of
1996.**DATES:** This rule is effective November
16, 2012.**FOR FURTHER INFORMATION CONTACT:**
Katherine H. Wheatley, Associate
General Counsel (202) 452-3779, or
Mehrnoush Bigloo, Attorney (202) 475-
6361, Legal Division, Board of
Governors of the Federal Reserve
System, 20th and C Streets NW.,
Washington, DC 20551. For users of
Telecommunication Device for the Deaf
(TDD) only, contact (202) 263-4869.**SUPPLEMENTARY INFORMATION:****Federal Civil Penalties Inflation
Adjustment Act**The Federal Civil Penalties Inflation
Adjustment Act of 1990, 28 U.S.C. 2461
note ("FCPIA Act" or the "Act"), as
amended by the Debt Collection
Improvement Act of 1996, requires
Federal agencies to adjust, by
regulation, the CMPs within their
jurisdiction by a prescribed inflation
adjustment at least once every four
years. The Board made its last
adjustment to its CMPs on October 6,
2008, *see* 73 FR 58,032, and on
September 13, 2011, it incorporated into
its regulation the penalties applicable to
savings and loan holding companies
over which it obtained supervisory
authority pursuant to section 312 of the
Dodd-Frank Wall Street Reform and
Consumer Protection Act, *see* 76 FR
56,604. The Board is issuing this final
rule pursuant to the FCPIA Act to setforth the newly-adjusted CMPs which
will apply to violations that occur after
the rule's effective date.The FCPIA Act defines the inflation
adjustment as a cost-of-living
adjustment based on the percentage
change in the Consumer Price Index
between June of the calendar year in
which the particular CMP was last set
or adjusted and June of the calendar
year preceding the current adjustment
(in this case, June 2011). The Act
specifies the use of the Consumer Price
Index for All Urban Consumers (CPI-U)
published by the Department of Labor.
Accordingly, to obtain the percent
inflation adjustment for each CMP
within the Board's jurisdiction, we
calculated the percent change in the
CPI-U between June of the year in
which the CMP was last adjusted and
June 2011.¹ Then, using the relevant
percent inflation adjustment, we
calculated the inflation increase for each
CMP.² The Act requires the rounding of
any calculated increase pursuant to the
method prescribed in Section 5(a) of the
Act.³ In the case of the majority of the
Board's CMPs, the calculated increase
was rounded down to zero, resulting in
no adjustment to the CMP. These
unadjusted penalties include the
penalty for certain late, false or
misleading reports under 12 U.S.C. 324,
the first and second tier penalties under
12 U.S.C. 504, 505, 1817(j)(16),
1818(i)(2), and 1972(2)(F), the penalties
under 12 U.S.C. 1820(k)(6)(A)(ii),
1832(c), 1847(b), 3110(a), 334, 374a,
1884, 3909(d), 1467a(i)(2), 1467a(i)(3),
and 1467a(r)(2), the second tier
penalties under 12 U.S.C. 1847(d) and
3110(c), the penalties under 15 U.S.C.¹ This resulted in a 3.2 percent inflation
adjustment for penalties that were last adjusted in
2008, a 19 percent inflation adjustment for penalties
that were last adjusted in 2004, a 30.9 percent
inflation adjustment for penalties that were last
adjusted in 2000, and a 44 percent inflation
adjustment for penalties that were last adjusted in
1996.² Because the Biggert-Waters Flood Insurance
Reform Act of 2012, Public Law 112-141, 126 Stat.
405, amended 42 U.S.C. 4012a(f)(5) by increasing
the CMP for each violation under 42 U.S.C. 4012a(f)
to \$2,000, the Board did not calculate an inflation
adjustment for this CMP. It should also be noted
that the amendment to 42 U.S.C. 4012a(f)(5)
removed the \$100,000 calendar-year limit on
penalties assessed against any regulated lending
institution or enterprise.³ Section 5(a) of the Act requires that any
calculated increase be rounded to the nearest
multiple of: \$10 in the case of penalties less than
or equal to \$100; \$100 in the case of penalties
greater than \$100 but less than or equal to \$1,000;
\$1,000 in the case of penalties greater than \$1,000
but less than or equal to \$10,000; \$5,000 in the case
of penalties greater than \$10,000 but less than or
equal to \$100,000; \$10,000 in the case of penalties
greater than \$100,000 but less than or equal to
\$200,000; and \$25,000 in the case of penalties
greater than \$200,000. 28 U.S.C. 2461 *note*, Sec.
5(a).

78u-2(b)(1) and (2), and the penalty for a natural person under 15 U.S.C. 78u-2(b)(3). The penalties that are not adjusted at this time because of this rounding formula will be subject to adjustment at the next adjustment cycle to take account of the entire period since their last adjustment.

The following is an example of the methodology for adjusting CMPs, using the penalty for a first tier violation of 12 U.S.C. 1847(d). First, because that CMP was last adjusted in 2000, we calculated the percent increase between the CPI-U for June 2000 (172.4) and the CPI-U for June 2011 (225.72). We then took that percentage (30.9%) and multiplied it by the current CMP amount of \$2,200 to obtain an inflation increase of \$679.80. Because the current CMP amount is greater than \$1,000 but less than \$10,000, the Act requires us to round the inflation increase to the nearest multiple of \$1,000. Rounding \$679.80 to the nearest multiple of \$1,000 yields \$1,000. Accordingly, the increase to the \$2,200 penalty for a first tier violation of 12 U.S.C. 1847(d) is \$1,000, resulting in an adjusted CMP of \$3,200.

Administrative Procedure Act

This rule is not subject to the provisions of the Administrative Procedure Act (APA), 5 U.S.C. 553, requiring notice, public participation, and deferred effective date. The FCPIA Act provides Federal agencies with no discretion in the adjustment of CMPs to the rate of inflation, and it also requires that adjustments be made at least every four years. Moreover, this regulation is ministerial and technical. For these reasons, the Board finds good cause to determine that public notice and comment for this new regulation is unnecessary, impracticable, and contrary to the public interest, pursuant to the APA, 5 U.S.C. 553(b)(3)(B). These same reasons also provide the Board with good cause to adopt an effective date for this regulation that is less than 30 days after the date of publication in the **Federal Register**, pursuant to the APA, 5 U.S.C. 553(d)(3).

Regulatory Flexibility Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, applies only to rules for which an agency publishes a general notice of proposed rulemaking. Because the Board has determined for good cause that a notice of proposed rulemaking for this rule is unnecessary, the Regulatory Flexibility Act does not apply to this final rule.

Paperwork Reduction Act

There is no collection of information required by this final rule that would be

subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

List of Subjects in 12 CFR Part 263

Administrative practice and procedure, Claims, Crime, Equal Access to Justice, Lawyers, Penalties.

Authority and Issuance

For the reasons set forth in the preamble, the Board of Governors amends 12 CFR part 263 as follows:

PART 263—RULES OF PRACTICE FOR HEARINGS

■ 1. The authority citation for part 263 continues to read as follows:

Authority: 5 U.S.C. 504, 554–557; 12 U.S.C. 248, 324, 504, 505, 1464, 1467, 1467a, 1468, 1817(j), 1818, 1820(k), 1828(c), 1829(e), 1831o, 1831p–1, 1847(b), 1847(d), 1884(b), 1972(2)(F), 3105, 3107, 3108, 3349, 3907, 3909, 4717; 15 U.S.C. 21, 78(1), 78o–4, 78o–5, 78u–2; 28 U.S.C. 2461 *note*; 31 U.S.C. 5321; and 42 U.S.C. 4012a.

■ 2. Section 263.65 is revised to read as follows:

§ 263.65 Civil penalty inflation adjustments.

(a) *Inflation Adjustments.* In accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. 2461 *note*, the Board has set forth in paragraph (b) of this section the adjusted maximum amounts for each civil money penalty provided by law within the Board's jurisdiction. The authorizing statutes contain the complete provisions under which the Board may seek a civil money penalty. The adjusted civil money penalties apply only to violations occurring after the effective date of this rule.

(b) *Maximum civil money penalties.* The maximum civil money penalties as set forth in the referenced statutory sections are as follows:

- (1) 12 U.S.C. 324:
 - (i) Inadvertently late, false or misleading reports, *inter alia*—\$3,200.
 - (ii) Other late, false or misleading reports, *inter alia*—\$32,000.
 - (iii) Knowingly or recklessly false or misleading reports, *inter alia*—\$1,425,000.
- (2) 12 U.S.C. 504, 505, 1817(j)(16), 1818(i)(2) and 1972(2)(F):
 - (i) First tier—\$7,500.
 - (ii) Second tier—\$37,500.
 - (iii) Third tier—\$1,425,000.
- (3) 12 U.S.C. 1820(k)(6)(A)(ii)—\$275,000.
- (4) 12 U.S.C. 1832(c)—\$1,100.
- (5) 12 U.S.C. 1847(b), 3110(a)—\$37,500.
- (6) 12 U.S.C. 1847(d), 3110(c):
 - (i) First tier—\$3,200.
 - (ii) Second tier—\$32,000.

- (iii) Third tier—\$1,425,000.
- (7) 12 U.S.C. 334, 374a, 1884—\$110.
- (8) 12 U.S.C. 3909(d)—\$1,100.
- (9) 15 U.S.C. 78u–2:
 - (i) 15 U.S.C. 78u–2(b)(1)—\$7,500 for a natural person and \$70,000 for any other person.
 - (ii) 15 U.S.C. 78u–2(b)(2)—\$70,000 for a natural person and \$350,000 for any other person.
 - (iii) 15 U.S.C. 78u–2(b)(3)—\$140,000 for a natural person and \$700,000 for any other person.
- (10) 42 U.S.C. 4012a(f)(5)—\$2,000.
- (11) 12 U.S.C. 1467a(i):
 - (i) 12 U.S.C. 1467a(i)(2)—\$32,500.
 - (ii) 12 U.S.C. 1467a(i)(3)—\$32,500.
- (12) 12 U.S.C. 1467a(r):
 - (i) 12 U.S.C. 1467a(r)(1)—\$3,200.
 - (ii) 12 U.S.C. 1467a(r)(2)—\$32,500.
 - (iii) 12 U.S.C. 1467a(r)(3)—\$1,425,000.

By order of the Board of Governors of the Federal Reserve System, November 9, 2012.

Robert deV. Frierson,
Secretary of the Board.

[FR Doc. 2012–27857 Filed 11–15–12; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2012–0652; Airspace Docket No. 12–ACE–4]

Amendment of Class E Airspace; Anthony, KS

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Anthony, KS. Additional controlled airspace is necessary to accommodate new Area Navigation (RNAV) Standard Instrument Approach Procedures at Anthony Municipal Airport. The FAA is taking this action to enhance the safety and management of Instrument Flight Rule (IFR) operations at the airport.

DATES: *Effective date:* 0901 UTC, January 10, 2013. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

FOR FURTHER INFORMATION CONTACT: Scott Enander, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone 817–321–7716.