

# Rules and Regulations

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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.

The Code of Federal Regulations is sold by the Superintendent of Documents.

## MERIT SYSTEMS PROTECTION BOARD

### 5 CFR Part 1201

#### Practices and Procedures

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Final rule.

**SUMMARY:** The Merit Systems Protection Board (MSPB or the Board) is amending its rules of practice and procedure in this part to reflect the relocation of its Western Regional Office.

**DATES:** *Effective Date:* October 16, 2017.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Everling, Acting Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419; phone: (202) 653-7200; fax: (202) 653-7130; or email: [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** On October 13, 2017, MSPB will relocate its Western Regional Office from 201 Mission Street, San Francisco, CA, to 1301 Clay Street, Oakland, CA. Appendix II of this part is amended to show the new address. The facsimile number is changing to (510) 273-7136. The geographical areas served by the Western Regional Office are unchanged. The Board is publishing this as a final rule pursuant to 5 U.S.C. 1204(h).

#### List of Subjects in 5 CFR Part 1201

Administrative practice and procedure.

Accordingly, the Board amends 5 CFR part 1201 as follows:

#### PART 1201—PRACTICES AND PROCEDURES

■ 1. The authority citation for part 1201 continues to read as follows:

**Authority:** 5 U.S.C. 1204, 1305, and 7701, and 38 U.S.C. 4331, unless otherwise noted.

#### Appendix II to Part 1201—[Amended]

■ 2. Amend Appendix II to part 1201 in item 5 by removing “201 Mission Street,

Suite 2310, San Francisco, California 94105–1831 Facsimile No.: (415) 904–0580” and adding, in its place, “1301 Clay Street, Suite 1380N, Oakland, California 94612–5217, Facsimile No.: (510) 273–7136.”

**Jennifer Everling,**

*Acting Clerk of the Board.*

[FR Doc. 2017–21890 Filed 10–10–17; 8:45 am]

**BILLING CODE 7400–01–P**

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

#### 12 CFR Chapter V

#### Removal of Office of Thrift Supervision Regulations

**AGENCY:** Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury is removing chapter V of title 12, Code of Federal Regulations (CFR), which contains regulations of the former Office of Thrift Supervision (OTS). The OTS, a Bureau of the Department of the Treasury, was abolished effective October 19, 2011, and its rulemaking authority and operative rules were transferred to other agencies pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act. Because those agencies have issued regulations that supersede chapter V, chapter V is no longer necessary.

**DATES:** Effective October 11, 2018.

**FOR FURTHER INFORMATION CONTACT:** Heidi Cohen, Senior Counsel for Regulatory Affairs, (202) 622–1142, Office of the Assistant General Counsel for General Law, Ethics & Regulation, Department of the Treasury, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

#### SUPPLEMENTARY INFORMATION:

##### Description of Final Rule

The OTS, a Bureau of the Department of the Treasury, was abolished by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act or Act)<sup>1</sup> on October 19, 2011. Titles III and X of the Act transferred the powers, authorities, rights, and duties of the OTS to the Office of the Comptroller of the Currency, the Federal Deposit

Insurance Corporation, the Board of Governors of the Federal Reserve System, and the Consumer Financial Protection Bureau (collectively, the Agencies), effective July 21, 2011.

Chapter V of title 12 of the CFR sets out the OTS regulations. Several parts of chapter V relate to the administrative functions of the OTS. Because the OTS was abolished, those parts are inoperative. The remaining parts of chapter V concern the supervision and examination of savings associations and savings and loan holding companies. Since the abolishment of the OTS, the Agencies have republished those OTS regulations they will enforce in their own chapters of title 12.<sup>2</sup>

In order to eliminate the confusion that may arise from having inoperative and superseded regulations of an abolished agency published in the CFR, the Department of the Treasury is removing chapter V of title 12 of the CFR.

#### Notice and Comment

The Administrative Procedure Act (APA) generally requires public notice and an opportunity to comment before an agency issues a final rule.<sup>3</sup> However, notice and comment are not required before issuing a final rule if the rulemaking relates to agency organization, procedure, or practice or if an agency, for good cause, finds that “notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.”

The Department of the Treasury finds that notice and comment are not required with respect to the removal of the parts of chapter V that govern the organization and administrative functions of the OTS because those

<sup>2</sup> See, e.g., 76 FR 48950 (August 9, 2011) (republishing regulations relating to savings associations in chapter I of title 12); 76 FR 47652 (August 5, 2011) (republishing regulations relating to State savings associations in chapter III of title 12); 76 FR 56508 (September 13, 2011) (republishing regulations relating to savings and loan holding companies in chapter II of title 12); 76 FR 44226 (July 22, 2011) (republishing regulations relating to the Alternative Mortgage Transaction Parity Act and the Truth in Lending Act in chapter X of title 12); 76 FR 78487 (December 19, 2011) (republishing regulations relating to the S.A.F.E. Mortgage Licensing Act in chapter X of title 12); 76 FR 79025 (December 21, 2011) (republishing regulations relating to privacy of consumer financial information in chapter X of title 12); and 76 FR 79308 (December 21, 2011) (republishing regulations relating to the Fair Credit Reporting Act in chapter X of title 12).

<sup>3</sup> 5 U.S.C. 553(b)(B).

<sup>1</sup> Public Law 111–203, 124 Stat. 1376 (2010).

parts have been inoperative since the OTS was abolished in 2011.

Furthermore, with respect to the removal of the parts of chapter V that govern savings associations and savings and loan holding companies, the Department of the Treasury finds that notice and comment under the APA are neither necessary nor in the public interest. As discussed above, titles III and X of the Dodd-Frank Act transferred the powers, authorities, rights, and duties of the OTS to the Agencies on July 21, 2011 and abolished the OTS on October 19, 2011. Since that time, the Agencies have issued rules that supersede the OTS regulations relating to savings associations and savings and loan holding companies. This final rule does not make any substantive changes to the regulations currently applicable to savings associations and savings and loan associations and does not substantively affect these regulated entities or the public. It simply removes obsolete provisions that are likely to be a source of confusion. For these reasons, advance notice and comment under the APA are unnecessary and not in the public interest.

#### **Regulatory Flexibility Act Analysis**

The Regulatory Flexibility Act<sup>4</sup> (RFA) applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b). Pursuant to the APA at 5 U.S.C. 553(b)(3), general notice and an opportunity for public comment are not required prior to the issuance of a final rule when an agency, for good cause, finds that “notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” As discussed above, the Department of the Treasury has determined for good cause that the APA does not require notice and public comment on this final rule and, therefore, it is not publishing a notice of proposed rulemaking. Thus, the RFA, pursuant to 5 U.S.C. 601(2), does not apply to this final rule.

#### **Unfunded Mandates Reform Act**

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that an agency prepare a budgetary impact statement before promulgating any rule likely to result in a Federal mandate that may result in the expenditure by state, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year, adjusted for inflation.<sup>5</sup> Because this final rule removes inoperative and superseded regulations,

the Department of the Treasury has determined that there is no Federal mandate imposed by this rulemaking.

#### **Executive Order 12866**

This rule is not a significant regulatory action under Executive Order 12866, Regulatory Planning and Review.

#### **12 CFR Chapter V [Removed]**

■ For the reasons set forth in the preamble and pursuant to titles III and X of the Dodd-Frank Act, amend title 12 of the Code of Federal Regulations by removing chapter V.

Dated: October 4, 2017.

**Kody H. Kinsley,**

*Assistant Secretary for Management.*

[FR Doc. 2017–21904 Filed 10–10–17; 8:45 am]

**BILLING CODE 4810–25–P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 39**

**[Docket No. FAA–2017–0624; Product Identifier 2016–NM–135–AD; Amendment 39–19067; AD 2017–20–10]**

**RIN 2120–AA64**

#### **Airworthiness Directives; Airbus Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Airbus Model A319 series airplanes, Model A320–211, –212, –214, –231, –232, and –233 airplanes, and Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes. This AD was prompted by a runway excursion due to an unexpected thrust increase leading to an unstable approach performed using the current flight management and guidance computer (FMGC) standard. This AD requires identification of potentially affected FMGCs, replacement of any affected FMGC, and applicable concurrent actions. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective November 15, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of November 15, 2017.

**ADDRESSES:** For service information identified in this final rule, contact

Airbus, Airworthiness Office—EIAS, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 44 51; email [account.airworth-eas@airbus.com](mailto:account.airworth-eas@airbus.com); Internet <http://www.airbus.com>. You may view this referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425–227–1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2017–0624.

#### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2017–0624; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800–647–5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590.

#### **FOR FURTHER INFORMATION CONTACT:**

Sanjay Ralhan, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057–3356; telephone 425–227–1405; fax 425–227–1149.

#### **SUPPLEMENTARY INFORMATION:**

##### **Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Model A319 series airplanes, Model A320–211, –212, –214, –231, –232, and –233 airplanes, and Model A321–111, –112, –131, –211, –212, –213, –231, and –232 airplanes. The NPRM published in the **Federal Register** on June 29, 2017 (82 FR 29440) (“the NPRM”). The NPRM was prompted by a runway excursion due to an unexpected thrust increase leading to an unstable approach performed using the current FMGC standard. The NPRM proposed to require identification of potentially affected FMGCs, replacement of any affected FMGC, and applicable concurrent actions. We are issuing this AD to prevent unstable approaches due to an unexpected thrust increase, which could result in reduced

<sup>4</sup> (Pub. L. 96–354, Sept. 19, 1980).

<sup>5</sup> Public Law 104–4 (2 U.S.C. 1532).