

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.

SUPPLEMENTARY INFORMATION:**History**

On August 2, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace for the Anthony, KS, area, creating additional controlled airspace at Anthony Municipal Airport (77 FR 45983) Docket No. FAA-2012-0652. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by amending Class E airspace extending upward from 700 feet above the surface to accommodate new standard instrument approach procedures at Anthony Municipal Airport, Anthony, KS. This action is necessary for the safety and management of IFR operations at the airport.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use

of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends controlled airspace at Anthony Municipal Airport, Anthony, KS.

Environmental Review

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures," paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

- 1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

§ 71.1 [Amended]

- 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface.

* * * * *

ACE KS E5 Anthony, KS [Amended]

Anthony Municipal Airport, KS
(Lat. 37°09'31" N., long. 98°04'47" W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Anthony Municipal Airport, and within 2 miles each side of the 000° bearing from the airport extending from the 6.4-mile radius to 12 miles north of the airport.

Issued in Fort Worth, Texas, on October 25, 2012.

David P. Medina,

Manager, Operations Support Group, ATO Central Service Center.

[FR Doc. 2012-27834 Filed 11-15-12; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2011-1436; Airspace Docket No. 11-ACE-29]

Amendment of Class E Airspace; Guthrie, IA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends Class E airspace at Guthrie, IA. Decommissioning of the Guthrie Center non-directional radio beacon (NDB) at Guthrie County Regional Airport has made reconfiguration necessary for standard instrument approach procedures and for the safety and management of Instrument Flight Rule (IFR) operations at the airport. Geographic coordinates of the airport are also adjusted.

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.

SUPPLEMENTARY INFORMATION:**History**

On August 2, 2012, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class E airspace for the Guthrie, IA, area, creating additional controlled airspace at Guthrie County Regional Airport (77 FR 45987) Docket No. FAA-2011-1436. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Class E airspace designations are published in paragraph 6005 of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document will be published subsequently in the Order.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by