

**COMMODITY FUTURES TRADING COMMISSION****Sunshine Act Meetings**

**TIME AND DATE:** 10:00 a.m., Friday, May 17, 2013.

**PLACE:** 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance and Enforcement Matters. In the event that the times or dates of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at <http://www.cftc.gov>.

**CONTACT PERSON FOR MORE INFORMATION:** Melissa D. Jurgens, 202-418-5516.

**Natise Stowe,**

*Executive Assistant.*

[FR Doc. 2013-09849 Filed 4-23-13; 11:15 am]

**BILLING CODE 6351-01-P**

**COMMODITY FUTURES TRADING COMMISSION****Sunshine Act Meetings**

**TIME AND DATE:** 10:00 a.m., Friday, May 31, 2013.

**PLACE:** 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance and Enforcement Matters. In the event that the times or dates of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at <http://www.cftc.gov>.

**CONTACT PERSON FOR MORE INFORMATION:** Melissa D. Jurgens, 202-418-5516.

**Natise Stowe,**

*Executive Assistant.*

[FR Doc. 2013-09851 Filed 4-23-13; 11:15 am]

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**COMMODITY FUTURES TRADING COMMISSION****Sunshine Act Meetings**

**TIME AND DATE:** 10:00 a.m., Friday, May 24, 2013.

**PLACE:** 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance and Enforcement Matters. In the event

that the times or dates of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at <http://www.cftc.gov>.

**CONTACT PERSON FOR MORE INFORMATION:** Melissa D. Jurgens, 202-418-5516.

**Natise Stowe,**

*Executive Assistant.*

[FR Doc. 2013-09850 Filed 4-23-13; 11:15 am]

**BILLING CODE 6351-01-P**

**COMMODITY FUTURES TRADING COMMISSION****Sunshine Act Meetings**

**TIME AND DATE:** 10:00 a.m., Friday, May 10, 2013.

**PLACE:** 1155 21st St. NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance and Enforcement Matters. In the event that the times or dates of this or any future meetings change, an announcement of the change, along with the new time and place of the meeting will be posted on the Commission's Web site at <http://www.cftc.gov>.

**CONTACT PERSON FOR MORE INFORMATION:** Melissa D. Jurgens, 202-418-5516.

**Natise Stowe,**

*Executive Assistant.*

[FR Doc. 2013-09848 Filed 4-23-13; 11:15 am]

**BILLING CODE 6351-01-P**

**BUREAU OF CONSUMER FINANCIAL PROTECTION**

[Docket No. CFPB-2012-0036]

**Electronic Fund Transfers; Determination of Effect on State Laws (Maine and Tennessee)**

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Notice of preemption determination.

**SUMMARY:** The Bureau of Consumer Financial Protection (Bureau) is publishing a final determination as to whether certain laws of Maine and Tennessee relating to unclaimed gift cards are inconsistent with and preempted by the Electronic Fund Transfer Act and Regulation E. The Bureau has determined that it has no basis for concluding that the provisions at issue in Maine's unclaimed property law relating to gift cards are inconsistent

with, or therefore preempted by, Federal law. As discussed below, however, the Bureau has determined that one provision in Tennessee's unclaimed property law relating to gift cards is inconsistent with, and therefore preempted by, Federal law.

**DATES:** The determination is effective April 25, 2013.

**FOR FURTHER INFORMATION CONTACT:** Courtney Jean or Terry Randall, Office of Regulations, at (202) 435-7700.

**SUPPLEMENTARY INFORMATION:****I. Background**

The Electronic Fund Transfer Act (EFTA), as amended by the Credit Card Accountability and Responsibility and Disclosure Act of 2009, and as implemented by the Bureau's Regulation E, provides that the Bureau shall make a preemption determination upon its own motion, or upon the request of any State, financial institution, or other interested party, as to whether any inconsistency exists between the EFTA and State law "relating to," among other things, "expiration dates of gift certificates, store gift cards, or general-use prepaid cards."<sup>1</sup> The EFTA preempts such a State law only to the extent of any inconsistency.<sup>2</sup> Furthermore, a State law is not considered inconsistent with the EFTA if the State law affords consumers greater protection than the EFTA.<sup>3</sup> Regulation E specifies that State law is inconsistent with the requirements of the EFTA and Regulation E if, among other things, the State law "requires or permits a practice or act prohibited by the federal law."<sup>4</sup>

The Bureau received three requests for determinations as to whether provisions in the EFTA and Regulation E (referred to hereinafter simply as "Federal law") relating to gift card expiration dates preempt certain unclaimed property law provisions in Maine, Tennessee, and New Jersey relating to gift cards.<sup>5</sup> The Bureau published a notice of intent to make a

<sup>1</sup> 15 U.S.C. 1693q; 12 CFR 1005.12(b).

<sup>2</sup> 15 U.S.C. 1693q.

<sup>3</sup> *Id.*

<sup>4</sup> 12 CFR 1005.12(b) (emphasis added).

<sup>5</sup> The requests relating to New Jersey's and Tennessee's laws came from payment card industry representatives. Maine's Office of the State Treasurer submitted a request relating to Maine's law to the Board of Governors of the Federal Reserve System. The Board did not respond to Maine's request before the Board's powers and duties relating to consumer financial protection functions transferred to the Bureau on July 21, 2011. The Bureau thus inherited responsibility for responding to Maine's pending request. The Maine, Tennessee, and New Jersey requests are available for public inspection and copying, consistent with the Bureau's rules on disclosure of records and information. See 12 CFR part 1070.