

2.301 also issued under 5 U.S.C. 554. Sections 2.343, 2.346, 2.712 also issued under 5 U.S.C. 557. Section 2.340 also issued under secs. 135, 141, Public Law 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 2.390 also issued under sec. 103, 68 Stat. 936, as amended (42 U.S.C. 2133) and 5 U.S.C. 552. Sections 2.800 and 2.808 also issued under 5 U.S.C. 553. Section 2.809 also issued under 5 U.S.C. 553, and sec. 29, Public Law 85-256, 71 Stat. 579, as amended (42 U.S.C. 2039). Subpart K also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Public Law 97-425, 96 Stat. 2230 (42 U.S.C. 10154).

Subpart L also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Subpart M also issued under sec. 184 (42 U.S.C. 2234) and sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Appendix A also issued under sec. 6, Public Law 91-550, 84 Stat. 1473 (42 U.S.C. 2135).

■ 2. In § 2.205, paragraph (j) is revised to read as follows:

#### § 2.205 Civil penalties.

\* \* \* \* \*

(j) *Amount.* A civil monetary penalty imposed under section 234 of the Atomic Energy Act of 1954, as amended, or any other statute within the jurisdiction of the Commission that provides for the imposition of a civil penalty in an amount equal to the amount set forth in Section 234, may not exceed \$140,000 for each violation. If any violation is a continuing one, each day of such violation shall constitute a separate violation for the purposes of computing the applicable civil penalty.

### PART 13—PROGRAM FRAUD CIVIL REMEDIES

■ 3. The authority citation for part 13 continues to read as follows:

**Authority:** Public Law 99-509, sec. 6101-6104, 100 Stat. 1874 (31 U.S.C. 3801-3812); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note). Sections 13.13(a) and (b) also issued under section Public Law 101-410, 104 Stat. 890, as amended by section 31001(s), Public Law 104-134, 110 Stat. 1321-373 (28 U.S.C. 2461 note).

■ 4. In § 13.3, paragraphs (a)(1)(iv) and (b)(1)(ii) are revised to read as follows:

#### § 13.3 Basis for civil penalties and assessments.

(a) \* \* \*

(1) \* \* \*

(iv) Is for payment for the provision of property or services which the person has not provided as claimed, shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than \$7,000 for each such claim.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(ii) Contains or is accompanied by an express certification or affirmation of the truthfulness and accuracy of the contents of the statement, shall be subject, in addition to any other remedy that may be prescribed by law, to a civil penalty of not more than \$7,000 for each such statement.

\* \* \* \* \*

Dated at Rockville, Maryland, this 4th day of September 2008.

For the Nuclear Regulatory Commission.

**Bruce S. Mallett,**

*Acting Executive Director for Operations.*

[FR Doc. E8-22172 Filed 9-22-08; 8:45 am]

**BILLING CODE 7590-01-P**

### FEDERAL HOUSING FINANCE AGENCY

#### 12 CFR Part 1231

**RIN 2590-AA08**

#### Golden Parachute Payments

**AGENCY:** Federal Housing Finance Agency.

**ACTION:** Correcting amendments.

**SUMMARY:** The Federal Housing Finance Agency has determined, insofar as it relates to indemnification payments, to rescind that portion of the Interim Final Rule, published in the **Federal Register** on September 16, 2008 (73 FR 53356). That portion of the rule will be subject to a separate rulemaking, which will be published for public comment in the near term. Insofar as the Interim Final Rule addresses factors related to golden parachute payments, that portion of the rule remains effective and available for comment. This document corrects specific provisions in the rule referring to indemnification payments.

**DATES:** *Effective Date:* September 23, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Alfred M. Pollard, General Counsel (OFHEO), telephone (202) 414-3788; or Christopher Curtis, General Counsel (FHFB), telephone (202) 408-2802 (not toll-free numbers), Federal Housing Finance Agency, Fourth Floor, 1700 G Street, NW., Washington, DC 20552. The telephone number for the Telecommunications Device for the Deaf is (800) 877-8339.

#### Need for Correction

As published on September 16, 2008, and on September 19, 2008, the interim final regulation contained clerical and other errors, which these amendments correct.

#### List of Subjects in 12 CFR Part 1231

Golden parachutes, Government-sponsored enterprises.

■ Accordingly, part 1231 of Title 12 CFR Chapter XII is corrected by making the following correcting amendments:

#### PART 1231—GOLDEN PARACHUTE PAYMENTS

■ 1. The authority citation for part 1231 continues to read as follows:

**Authority:** 12 U.S.C. 4518(e).

■ 2. Section 1231.1 is revised to read as follows:

#### § 1231.1 Purpose.

The purpose of this part is to implement section 1318(e) of the Act by setting forth the standards that the Director will take into consideration in determining whether to limit or prohibit golden parachute payments to entity-affiliated parties.

■ 3. Section 1231.5 is amended by revising the introductory text and paragraph (f) to read as follows:

#### § 1231.5 Factors to be taken into account.

In determining whether to prohibit or limit any golden parachute payment, the Director shall consider the following factors—

\* \* \* \* \*

(f) Any other factor the Director determines relevant to the facts and circumstances surrounding the golden parachute payment, including but not limited to negligence, gross negligence, neglect, willful misconduct, breach of fiduciary duty, and malfeasance on the part of an entity-affiliated party.

Dated: September 18, 2008.

**James B. Lockhart III,**

*Director, Federal Housing Finance Agency.*

[FR Doc. E8-22260 Filed 9-19-08; 11:15 am]

**BILLING CODE 8070-01-P**

### SMALL BUSINESS ADMINISTRATION

#### 13 CFR Part 123

**RIN 3245-AF78**

#### Military Reservist Economic Injury Disaster Loans

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Direct final rule.

**SUMMARY:** SBA makes economic injury disaster loans to small businesses that have been adversely affected by specific events. If a small business has an essential employee or owner who is a member of a reserve component of the