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DEPARTMENT OF ENERGY

10 CFR Part 800

[DOE-HQ-2025-0014]

RIN 1903-AA23

Rescinding Regulations for Loans for Minority Business Enterprises Seeking DOE Contracts and Assistance

AGENCY: Office of Civil Rights and EEO, Department of Energy.

ACTION: Direct final rule; further delay of effective date.

SUMMARY: The U.S. Department of Energy (DOE) is further extending the effective date of the direct final rule “Rescinding Regulations for Loans for Minority Business Enterprises Seeking DOE Contracts and Assistance,” published on May 16, 2025.

DATES: As of June 3, 2026, the effective date of the direct final rule published May 16, 2025, at 90 FR 20769, delayed until September 12, 2025 (90 FR 31137), further delayed until December 9, 2025 (90 FR 43539), again delayed until March 9, 2026 (90 FR 56967) and then until June 4, 2026 (91 FR 10954) is further delayed until September 1, 2026.

FOR FURTHER INFORMATION CONTACT: Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC-1, 1000 Independence Avenue SW, Washington, DC 20585; (202) 586-5281 or DOEGeneralCounsel@hq.doe.gov.

SUPPLEMENTARY INFORMATION: On May 16, 2025, DOE published a direct final rule. 90 FR 20769. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31137.

In this document, DOE is further extending the effective date pending Department of Justice action on the topic of the direct final rule under

Executive Order 14281, “Restoring Equality of Opportunity and Meritocracy” and Executive Order 12250, “Leadership and Coordination of Nondiscrimination Laws.” 90 FR 17537 (April 28, 2025); 45 FR 72995 (Nov. 4, 1980).

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a “substantive rule” for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

Signing Authority

This document of the Department of Energy was signed on May 29, 2026, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 1, 2026.

Jennifer Hartzell,

*Alternate Federal Register Liaison Officer,
U.S. Department of Energy.*

[FR Doc. 2026-11057 Filed 6-2-26; 8:45 am]

BILLING CODE 6450-01-P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 337

RIN 3064-AF76

Unsafe and Unsound Banking Practices: Brokered Deposits and Interest Rate Restrictions; Correction

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Correcting amendments.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is correcting a final rule that was

published in the **Federal Register** on January 22, 2021.

DATES: Effective on June 3, 2026.

FOR FURTHER INFORMATION CONTACT:

Justin Hagerty, Senior Examination Specialist, Division of Risk Management Supervision, (319) 382-2760, JHagerty@fdic.gov; Shane Bogusz, Senior Attorney, Legal Division, (366) 571-0212, SBogusz@fdic.gov.

SUPPLEMENTARY INFORMATION:

I. Background

This **Federal Register** Notice corrects technical errors in the FDIC’s regulations concerning brokered deposits, 12 CFR parts 303 and 337, which were amended by a final rule published in the **Federal Register** on January 22, 2021 (2021 rule). The 2021 rule inadvertently deleted the text accompanying two footnotes (which, additionally, were previously misnumbered) in 12 CFR 337.6(a)(3)(i). The 2021 rule also failed to update a cross-reference to 12 CFR 337.6(b)(2)(ii), a section which was relocated to 12 CFR 337.7(c)(2). Finally, the 2021 rule inadvertently used the term “assets under management” in the regulatory text for Part 303 when the rule’s preamble, as well as two related provisions of the FDIC’s regulations, used the correct terminology, “assets under administration,” to describe the same concept. Through this document, the FDIC is correcting these inadvertent errors, as well as making several minor grammatical changes.

II. Administrative Law Matters

The Administrative Procedure Act (“APA”) generally requires an agency to publish notice of a rulemaking in the **Federal Register** and provide an opportunity for public comment. This requirement does not apply, however, if the agency “for good cause finds . . . that notice and public procedure are impracticable, unnecessary, or contrary to the public interest.”¹ The technical amendments do not impose any new substantive regulatory requirements on any party. The technical amendments make minor revisions to promote clarity and consistency, as well as correct certain drafting errors contained in the 2021 brokered deposit rule. For these reasons, there is good cause for the FDIC to find that it is unnecessary to publish

¹ 5 U.S.C. 553(b)(3)(B).

notice of these amendments in the **Federal Register** or to solicit public comment thereon.

Although the APA generally requires publication of a rule at least 30 days before its effective date, for similar reasons there is good cause for the amendments to take effect on June 3, 2026. Additionally, the provisions of the Regulatory Flexibility Act,² which apply only when notice and comment are required by the APA or other law, are not applicable. These amendments do not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995.³

List of Subjects

12 CFR Part 303

Administrative practice and procedure, Bank deposit insurance, Banks, Banking, Reporting and recordkeeping requirements, Savings associations.

12 CFR Part 337

Banks, Banking, Reporting and recordkeeping requirements, Savings associations, Securities.

Authority and Issuance

For the reasons stated in the preamble, the FDIC corrects 12 CFR parts 303 and 337 by making the following correcting amendments:

PART 303—FILING PROCEDURES

■ 1. The authority citation for part 303 continues to read as follows:

Authority: 12 U.S.C. 378, 1464, 1813, 1815, 1817, 1818, 1819(a) (Seventh and Tenth), 1820, 1823, 1828, 1829, 1831a, 1831e, 1831o, 1831p–1, 1831w, 1835a, 1843(l), 3104, 3105, 3108, 3207, 5414, 5415, and 15 U.S.C. 1601–1607.

§ 303.243 [Amended]

■ 2. Amend § 303.243 by:

- a. Removing the text “well-capitalized” in each place it appears and adding in its place the text “well capitalized”;
- b. In paragraph (a)(1):
 - i. Adding a comma after the word “renew” in each place that it appears; and
 - ii. Removing the word “federal” and adding in its place the word “Federal”.
- c. In paragraph (a)(3)(iii):
 - i. Adding a comma after the word “rates”; and
 - ii. Adding a comma after the word “solicitation”.
- d. In paragraph (a)(3)(vi):
 - i. Adding a comma after the word “acceptance”.

- e. In paragraph (b)(4)(ii)(D):
- i. Removing the word “management” and adding in its place the word “administration”.

PART 337—UNSAFE AND UNSOUND BANKING PRACTICES

■ 3. The authority citation for part 337 continues to read as follows:

Authority: 12 U.S.C. 375a(4), 375b, 1463, 1464, 1468, 1816, 1818(a), 1818(b), 1819, 1820(d), 1821(f), 1828(j)(2), 1831, 1831f, 1831g, 5412.

- 4. Amend § 337.6 by:
 - a. Removing the text “appropriate federal banking” in each place it appears and adding in its place the text “appropriate Federal banking”;
 - b. Removing the text “well-capitalized” in each place it appears and adding in its place the text “well capitalized”;
 - c. In each place it appears, adding a comma following the word “renew”;
 - d. In each place it appears, adding a comma following the word “renewal”;
 - e. Revising paragraph (a)(3)(i);
 - f. Removing the editorial note appearing after (a)(3)(i);
 - g. Revising paragraph (a)(5)(iii)(C)(1);
 - h. In paragraph (a)(5)(v)(I)(1)(xiii), removing the text “and” and in its place adding the text “or”; and
 - i. In paragraph (d), removing the text “paragraph (b)(2)(ii) of the section” and in its place adding the text “§ 337.7(c)(2)”.

The revisions read as follows:

§ 337.6 Brokered deposits.

- (a) * * *
- (3) * * *

(i) For purposes of section 29 of the Federal Deposit Insurance Act, this section, and § 337.7, the terms well capitalized, adequately capitalized, and undercapitalized,¹ shall have the same meaning as to each insured depository institution as provided under regulations implementing section 38 of the Federal Deposit Insurance Act issued by the appropriate Federal banking agency for that institution.²

[FN1] The term undercapitalized includes any institution that is significantly undercapitalized or critically undercapitalized under regulations implementing section 38 of the Federal Deposit Insurance Act and issued by the appropriate Federal banking agency for that institution.

[FN2] For the most part, the capital measure terms are defined in the following regulations: FDIC—12 CFR part 324, subpart H; Board of Governors of the Federal Reserve System—12 CFR part 208; and Office of the Comptroller of the Currency—12 CFR part 6.

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- (5) * * *
- (iii) * * *
- (C) * * *

(1) A person is engaged in matchmaking activities if the person proposes deposit allocations at, or between, more than one insured depository institution based upon both the particular deposit objectives of a specific depositor or depositor’s agent, and the particular deposit objectives of specific insured depository institutions, except in the case of deposits placed by a depositor’s agent with an insured depository institution affiliated with the depositor’s agent. A proposed deposit allocation is based on the particular objectives of:

(i) A depositor or depositor’s agent when the person has access to specific financial information of the depositor or depositor’s agent and the proposed deposit allocation is based upon such information; and

(ii) An insured depository institution when the person has access to the target deposit-balance objectives of specific insured depository institutions and the proposed deposit allocation is based upon such information.

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■ 5. Amend § 337.7 by:

- a. In paragraph (b)(2), removing the comma that follows the word “monthly”; and
- b. Revising paragraph (c)(1) to read as follows:

§ 337.7 Interest rate restrictions.

- (c) * * *

(1) *Well capitalized institutions.* A well capitalized institution may pay interest without restriction by this section.

Federal Deposit Insurance Corporation

Dated at Washington, DC on May 29, 2026.

Jennifer M. Jones,

Deputy Executive Secretary.

[FR Doc. 2026–11044 Filed 6–2–26; 8:45 am]

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² 5 U.S.C. 601 *et seq.*

³ 44 U.S.C. 3501 *et seq.*