

(xii) To determine requests for leave to file an opposition to a petition for review filed pursuant to the provisions of Rule 411 of the Commission's Rules of Practice, § 201.411 of this chapter.

(xiii) To issue a briefing schedule order pursuant to Rule 450 of the Commission's Rules of Practice, § 201.450 of this chapter.

(xiv) To determine motions for expedited briefing schedules.

(2) With respect to proceedings conducted pursuant to the Securities Act of 1933 (15 U.S.C. 77a, *et seq.*), the Securities Exchange Act of 1934 (15 U.S.C. 78a, *et seq.*), the Investment Company Act of 1940 (15 U.S.C. 80a-1, *et seq.*), the Investment Advisers Act of 1940 (15 U.S.C. 80b-1, *et seq.*), the Securities Investor Protection Act of 1970 (15 U.S.C. 78aaa, *et seq.*) and the provisions of Rule 102(e) of the Commission's Rules of Practice (§ 201.102(e) of this chapter), to issue findings and orders taking the remedial action described in the order for proceedings where the respondents expressly consent to such action, fail to appear or default in the filing of answers required to be filed; or to grant a request, based upon a showing of good cause, to vacate an order of default, so as to permit presentation of a defense.

* * * * *

(4) With respect to proceedings under Sections 19 (d), (e) and (f) of the Securities Exchange Act of 1934 (15 U.S.C. 78s (d), (e) and (f)), to determine that an application for review under those sections has been abandoned, under the provisions of Rule 420, § 201.420 of this chapter, or otherwise, and to issue an order dismissing the application in such event.

(5) With respect to proceedings conducted or reviewed pursuant to the Securities Exchange Act of 1934 (15 U.S.C. 78a, *et seq.*), the Investment Company Act of 1940 (15 U.S.C. 80a-1, *et seq.*), the Investment Advisers Act of 1940 (15 U.S.C. 80b-1, *et seq.*) and the provisions of Rule 102(e) of the Commission's Rules of Practice, § 201.102(e) of this chapter, to determine applications to stay Commission orders pending appeal of those orders to the federal courts and to determine applications to vacate such stays.

(6) With respect to review proceedings pursuant to Sections 19 (d), (e), and (f) of the Securities Exchange Act of 1934 (15 U.S.C. 78s (d), (e), and (f)), to determine applications for a stay of action taken by a self-regulatory organization pending Commission review of that action and to determine applications to vacate such stays.

(7) In connection with Commission review of actions taken by self-regulatory organizations, pursuant to Sections 19 (d), (e) and (f) of the Securities Exchange Act of 1934 (15 U.S.C. 78s (d), (e) and (f)), to grant or deny requests for oral argument in accordance with the provisions of Rule 451, § 201.451 of this chapter.

* * * * *

Subpart B—Disposition of Commission Business

20. The authority citation for part 200, subpart B continues to read as follows:

Authority: 5 U.S.C. 522b.

21. Section 200.43 is amended by adding “, except that the duty officer may preside at the taking of evidence with respect to the issuance of a temporary cease-and-desist order as provided by Rule 511(c) of the Commission's Rules of Practice, § 201.511(c) of this chapter.” before the period.

Subpart F—Code of Behavior Governing Ex Parte Communications Between Persons Outside the Commission and Decisional Employees

22. The authority citation for part 200, subpart F is revised to read as follows:

Authority: 15 U.S.C. 77s, 78w, 79t, 77sss, 80a-37, 80b-11; 5 U.S.C. 557.

§ 200.111 [Amended]

23. In § 200.111(d)(1)(i), remove the words “Rule 23 of the Commission's Rules of Practice, § 201.23”, and, in their place, add the words “Rule 150 of the Commission's Rules of Practice, § 201.150”.

24. In § 200.111(d)(2), remove the words “Rule 9(c) of the Commission's Rules of Practice, § 201.9(c)”, and, in their place, add the words “Rule 210(c) of the Commission's Rules of Practice, § 201.210(c)”.

Subpart H—Regulations Pertaining to the Privacy of Individuals and Systems of Records Maintained by the Commission

25. The general authority citation for part 200, subpart H is revised to read as follows:

Authority: 5 U.S.C. 552a(f), unless otherwise noted.

* * * * *

§ 200.312 [Amended]

26. In § 200.312(a)(8), remove the words “Rule 2(e)”, and, in their place, add the words “Rule 102(e)”.

Subpart K—Regulations Pertaining to the Protection of the Environment

27. The authority citation for part 200, subpart K is revised to read as follows:

Authority: 15 U.S.C. 78w(a)(2).

§ 200.554 [Amended]

28. In § 200.554(a), remove the words “§ 201.20”, and, in their place, add the words “Rule 460 of the Commission's Rules of Practice, § 201.460”.

Subpart M—Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission

29. The authority citation for part 200, subpart M continues to read as follows:

Authority: 15 U.S.C. 77s, 78w, 79t, 77sss, 80a-37, 80b-11; E. O. 11222; 3 CFR, 1964-1965 Comp.; 5 CFR 735.104 unless otherwise noted.

§ 200.735-13 [Amended]

30. In § 200.735-13(c), remove the words “Rule 2(e) of the Commission's Rules of Practice, 17 CFR 201.2(e)”, and “17 CFR 201.1” and, in their place, add the words “Rule 102(e) of the Commission's Rules of Practice, § 201.102(e) of this chapter” and “17 CFR 201.100”.

PART 201—RULES OF PRACTICE

31. The authority citation for Part 201 is removed.

Subpart A—[Removed and Reserved]

32. Subpart A is removed and reserved.

Subpart B—Regulations Pertaining to the Equal Access to Justice Act

33. The authority citation for Subpart B of Part 201 is revised to read as follows:

Authority: 15 U.S.C. 77s, 78w, 78x, 79t, 77sss, 80a-37 and 80b-11; 5 U.S.C. 504(c)(1).

34. In § 201.42: the reference to “201.25” in paragraph (b) is corrected to read “201.190”.

35. In § 201.54: the reference to “201.8” is corrected to read “201.240”.

36. In § 201.57: the reference to “201.17” is corrected to read “201.410 and 201.411”.

37. Section 201.60 is removed and reserved.

Subpart C—Procedures Pertaining to the Payment of Bounties Pursuant to Subsection 21A(e) of the Securities Exchange Act of 1934

38. The authority citation for Subpart C of Part 201 is revised to read as follows:

Authority: 15 U.S.C. 78u-1 and 78w.