

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## MERIT SYSTEMS PROTECTION BOARD

### 5 CFR Part 1201

#### Practices and Procedures

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Final rule.

**SUMMARY:** The Board is amending its rules of practice and procedure to make an inflation adjustment in the amount of the civil monetary penalty it may assess against a Federal employee in a disciplinary action brought by the Special Counsel. This adjustment is required by the "Federal Civil Penalties Inflation Adjustment Act of 1990" (Pub.L. 101-410), as amended by the "Debt Collection Improvement Act of 1996" (Pub.L. 104-134).

**EFFECTIVE DATE:** September 18, 1996.

**FOR FURTHER INFORMATION CONTACT:** Robert E. Taylor, Clerk of the Board, 202-653-7200.

**SUPPLEMENTARY INFORMATION:** Section 4 of the "Federal Civil Penalties Inflation Adjustment Act of 1990" (Pub. L. 101-410), as amended by the "Debt Collection Improvement Act of 1996" (Pub. L. 104-134), requires each Federal agency with statutory authority to assess a civil monetary penalty (CMP) to adjust each CMP by the inflation adjustment described in section 5 of the Act. Such adjustment is to be made by regulation published in the Federal Register. The first inflation adjustment is required by October 23, 1996—180 days after the enactment of the "Debt Collection Improvement Act of 1996." Thereafter, agencies are to make inflation adjustments by regulation at least once every four years. Any increase in a CMP made pursuant to the Act applies only to violations that occur after the date the increase takes effect.

The Merit Systems Protection Board's only statutory authority to assess a CMP

is found at 5 U.S.C. 1215(a)(3), which describes the penalties the Board may impose when it orders disciplinary action against a Federal employee in a complaint brought by the Special Counsel (other than a disciplinary action complaint for violation of the Hatch Act). One of the penalties authorized is assessment of a civil penalty not to exceed \$1,000.

Because the Act limits the initial inflation adjustment in a CMP to 10 percent of the penalty specified by statute, the Board is amending its rules at 5 CFR 1201.126(c) to increase the maximum civil penalty it may assess in a Special Counsel disciplinary action to \$1,100.

The Board is publishing this rule as a final rule pursuant to 5 U.S.C. 1204(h).

#### List of Subjects in 5 CFR Part 1201

Administrative practice and procedure, Civil rights, Government employees.

Accordingly, the Board amends 5 CFR part 1201 as follows:

#### **PART 1201—[AMENDED]**

1. The authority citation for part 1201 continues to read as follows:

Authority: 5 U.S.C. 1204, and 7701 unless otherwise noted.

#### **§ 1201.126 [Amended]**

2. Section 1201.126 is amended at paragraph (c) by removing "\$1,000" and by adding in its place "\$1,100."

Dated: September 6, 1996.

Robert E. Taylor,

Clerk of the Board.

[FR Doc. 96-23209 Filed 9-17-96; 8:45 am]

**BILLING CODE 7400-01-M**

## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

#### 7 CFR Part 718

#### Commodity Credit Corporation

#### 7 CFR Part 1412

RIN 0560-AE81

#### Implementation of the Farm Program Provisions of the 1996 Farm Bill; Correction

**AGENCY:** Farm Service Agency and Commodity Credit Corporation, Department of Agriculture.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to the final regulations which were published on Thursday, July 18, 1996, (61 FR 37544).

**EFFECTIVE DATE:** September 17, 1996.

#### **SUPPLEMENTARY INFORMATION:**

##### Background

The final regulations that are the subject of these corrections were published on July 18, 1996, at 61 FR 37544, and provide the rules for a variety of programs administered by the United States Department of Agriculture under the authority of the Federal Agriculture Improvement and Reform Act of 1996 (7 USC 7201 *et seq.*).

##### Need for Correction

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

##### Correction of Publication

Accordingly, the publication on July 18, 1996, 61 FR 37544 *et seq.*, of the final regulations are corrected as follows:

#### **§ 718.206 [Corrected]**

On page 37561, in the third column, in § 718.206, line ten, the reference to "§ 718.204(a)(3)." is corrected to read "§ 718.204."

#### **§ 1412.206(d) [Corrected]**

On page 37578, in the second column, under the reference to Mississippi in § 1412.206(d), line one, "Covington, Holmes, Jefferson Davis," is corrected to read "Covington, Jefferson Davis,".

On page 37578, in the third column, under the reference to Oklahoma in § 1412.206(d), line six, "Jackson, Kay," is corrected to read "Jackson, Jefferson, Kay,".

On page 37578, in the third column, under the reference to Texas in § 1412.206(d), line four, "Dallam," is corrected to read "Dallam, Dawson,".

On page 37579, in the first column, under the reference to Texas in § 1412.206(d), line three, "Lubbock," is corrected to read "Lubbock, Lynn,".

On page 37579, in the first column, under the reference to Texas in § 1412.206(d), line five, "Oldam," is corrected to read "Oldham,".