

Docket 13–44 that made many modifications to its equipment authorization rules and procedures. Subsequently, Motorola Solutions, Inc. (Motorola) and the Telecommunications Industry Association (TIA) filed separate petitions requesting reconsideration and/or clarification of the *Report and Order*. Both petitions focused on a narrow set of related issues, including the process for accreditation of testing laboratories located in countries that have not entered into a Mutual Recognition Agreement (MRA) with the United States and the transition period for such accreditation.

4. The Memorandum Opinion and Order and Order on Reconsideration grants the petitions in part. To address petitioners' concerns that there is a lack of a clear process for the recognition of accrediting bodies within non-MRA countries, the Commission discussed how the criteria listed in Section 2.949 of its rules will apply to compliance testing laboratories that are seeking to become recognized by the Commission as properly accredited, and directed its Office of Engineering and Technology to publish whatever additional information is needed to address the form and substance application submissions should take. The Commission also extended the transition deadlines for testing laboratories to become accredited, an action that particularly affects laboratories currently operating under a specific rule provision that the *Report and Order* had eliminated. It found merit in the petitioners' concerns that many laboratories—including those located in countries that have not entered into a mutual recognition agreement MRA with the United States—would not be able to become accredited under the existing timeline. The Commission denied a request to let a Commission-recognized testing laboratory that is located in an MRA country vouch for a subsidiary located in non-MRA country, concluding that such action was not needed in light of the other relief it was providing.

#### Ordering Clauses

5. Pursuant to Sections 1, 4(i), 7(a), 301, 302, 303(f), 303(g), 303(r), 307(e) and 332 of the Communications Act of 1934, as amended, 47 U.S.C. Sections 151, 154(i), 157(a), 301, 302a, 303(f), 303(g), 303(r), 307(e), and 332, this Memorandum Opinion and Order and Order on Reconsideration *is adopted*.

6. The rules and requirements adopted herein will be effective July 29, 2016.

7. The Petition for Reconsideration of The Telecommunications Industry Association is *granted* to the extent indicated herein and otherwise *denied*.

8. The Petition for Partial Reconsideration of Motorola Solutions, Inc. is *granted* to the extent indicated herein and otherwise *denied*.

9. The Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of this Report and Order, including the Final Regulatory Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

10. The Commission will send a copy of this Memorandum Opinion and Order and Order on Reconsideration to Congress and the Government Accountability Office pursuant to the Congressional Review Act. *see* 5 U.S.C. 801(a)(1)(A).

Pursuant to the authority contained in Sections 4(i), 4(j), and 303 of the Communications Act, as amended, 47 U.S.C. 154(i), 154(j) and 303, that should no petitions for reconsideration or applications for review be timely filed, this proceeding *is terminated* and ET Docket No. 13–44 *is closed*.

#### List of Subjects in 47 CFR Part 2

Communications equipment, Reporting and recordkeeping requirements.

Federal Communications Commission.

**Marlene H. Dortch**,  
*Secretary*.

#### Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 2 as follows:

#### PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

- 1. The authority citation for part 2 continues to read as follows:

**Authority:** 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

- 2. Section 2.950 is amended by revising paragraph (e) to read as follows:

#### § 2.950 Transition periods.

\* \* \* \* \*

(e) The Commission will no longer accept applications for § 2.948 test site listing as of July 13, 2015. Laboratories that are listed by the Commission under the § 2.948 process will remain listed until the sooner of their expiration date or through July 12, 2017 and may continue to submit test data in support of certification applications through October 12, 2017. Laboratories with an

expiration date before July 13, 2017 may request the Commission to extend their expiration date through July 12, 2017.

\* \* \* \* \*

[FR Doc. 2016–15336 Filed 6–28–16; 8:45 am]

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#### GENERAL SERVICES ADMINISTRATION

#### 48 CFR Part 515

[Change 72; GSAR Case 2008–G506; Corrections; Docket 2008–0007; Sequence 14]

RIN 3090–A176

#### General Services Administration Acquisition Regulation (GSAR); Rewrite of GSAR Part 515, Contracting by Negotiation; Corrections

**AGENCY:** Office of Acquisition Policy, Office of Government-wide Policy, General Services Administration (GSA).

**ACTION:** Final rule; corrections.

**SUMMARY:** The General Services Administration (GSA) is issuing a correction to Change 72; GSAR Case 2008–G506; Rewrite of GSAR Part 515, Contracting by Negotiation, which was published in the **Federal Register** at 81 FR 36423, June 6, 2016.

**DATES:** *Effective:* July 6, 2016.

**FOR FURTHER INFORMATION CONTACT:** For clarification about content, contact Ms. Dana Munson at 202–357–9652. For information pertaining to the status or publication schedules, contact the Regulatory Secretariat Division (MVCB), 1800 F Street NW., Washington, DC 20405, (202) 501–4755. Please cite GSAR Case 2008–G506; Corrections.

**SUPPLEMENTARY INFORMATION:** GSA published a document in the **Federal Register** at 81 FR 36423, June 6, 2016, inadvertently section 515.5 and 515.70 contained typographical errors.

#### Corrections

In the rule FR Doc. 2016–13114, published in the **Federal Register** at 81 FR 36423, June 6, 2016, make the following corrections:

1. On page 36425, first column, instruction number 3, remove “revised” and add “continues” in its place.

2. On page 36425, second column, under the heading “515.5 and 515.70 [Removed]”, revise instruction number 7 to read as follows:

“7. Remove subparts 515.5 and 515.70.”

**Authority:** 40 U.S.C. 121(c).

Dated: June 23, 2016.

**Jeffrey A. Koses,**

*Office of Acquisition Policy, Senior Procurement Executive, General Services Administration.*

[FR Doc. 2016-15238 Filed 6-28-16; 8:45 am]

**BILLING CODE 6820-61-P**

## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### 49 CFR Parts 107 and 171

[Docket No. PHMSA-2016-0041 (HM-258D)]

RIN 2137-AF23

#### Hazardous Materials: Revision of Maximum and Minimum Civil Penalties

**AGENCY:** Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Interim final rule.

**SUMMARY:** PHMSA is revising the maximum and minimum civil penalties for a knowing violation of the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law. The “Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015” (the 2015 Act), which amended the Federal Civil Penalties, Inflation Adjustment Act of 1990 (the Inflation Adjustment Act), requires Agencies to update their civil monetary penalties through interim final rulemaking. The maximum civil penalty for a knowing violation is now \$77,114, except for violations that result in death, serious illness, or severe injury to any person or substantial destruction of property, for which the maximum civil penalty is \$179,933. In addition, the minimum civil penalty amount for a violation relating to training is now \$463.

**DATES:** *Effective Date:* August 1, 2016.

**FOR FURTHER INFORMATION CONTACT:**

Laura Ulmer or Shawn Wolsey, Office of Chief Counsel, (202) 366-4400, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590-0001.

**SUPPLEMENTARY INFORMATION:**

#### I. Civil Penalty Amendments

Section 701 of the “Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015” (the 2015 Act) (Pub. L. 114-74, 129 Stat. 599 [November 2, 2015]), which amended the Federal Civil Penalties, Inflation

Adjustment Act of 1990 (the Inflation Adjustment Act) (Pub. L. 101-410), requires that the Agency make an initial catch up adjustment with subsequent annual adjustments to the maximum and minimum civil penalties set forth in 49 U.S.C. 5123(a) for a knowing violation of the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law. These changes to the maximum and minimum civil penalty amounts apply to violations assessed on or after the effective date, August 1, 2016.

The Office of Management and Budget’s (OMB) “Memorandum for the Heads of Executive Departments and Agencies, Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015,” M16-06, provides guidance on how to update agencies’ civil penalties pursuant to the 2015 Act. For the catch up adjustment, the calculation uses multipliers to adjust the civil monetary penalties, or the minimum and maximum penalties, based on the year the penalty was established or last adjusted by statute or regulation other than under the Inflation Adjustment Act. The Agency or Department would then use the multiplier, based on the Consumer Price Index for October 2015 provided in a table in that guidance document, and multiply it by the current penalty. Congress passed the Moving Ahead for Progress in the 21st Century Act (MAP-21) in 2012, which amended the maximum penalty for a knowing violation of the Federal hazardous material safety law, regulation, order, special permit, or approval to \$75,000, and to \$175,000 for a person who knowingly violates the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law that results in death, serious illness, or severe injury to any person or substantial destruction of the property. MAP-21 also added a \$450 minimum for a training violation. The multiplier for 2012, which was the last year these civil monetary penalties were amended by statute or regulation other than under the Inflation Adjustment Act, from the guidance document is 1.02819. After making the adjustment, all penalty levels must be rounded to the nearest dollar, but no penalty level may be increased by more than 150 percent of corresponding penalty levels in effect on November 2, 2015.

Accordingly, PHMSA is revising the references to the maximum and minimum civil penalty amounts in its regulations to reflect the changes required by the 2015 Act. In 49 CFR

107.329, Appendix A to subpart D of 49 CFR part 107, and 49 CFR 171.1 are:

- Revising the maximum civil penalty from \$75,000 to \$77,114 for a person who knowingly violates the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law.
- Revising the maximum civil penalty from \$175,000 to \$179,933 for a person who knowingly violates the Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law that results in death, serious illness, or severe injury to any person or substantial destruction of the property.
- Revising the minimum penalty amount from \$450 to \$463 for a violation related to training.

As required by the 2015 Act, PHMSA is making these catch up adjustments through an interim final rule. PHMSA is not providing a notice of proposed rulemaking or an opportunity for public comment. The catch up adjustments required by the 2015 Act are statutorily required ministerial acts, for which PHMSA has no discretion, and as a result public comment is unnecessary. As such, notice and comment procedures are “impracticable, unnecessary, or contrary to the public interest” within the meaning of the Administrative Procedure Act. 5 U.S.C. 553(b)(3)(B).

#### II. Rulemaking Analyses and Notices

##### A. Statutory/Legal Authority for This Rulemaking

This interim final rule is published under the authority of the Federal hazardous materials transportation law (49 U.S.C. 5101 *et seq.*). Section 5123(a) of that law provides civil penalties for knowing violations of Federal hazardous material transportation law or a regulation, order, special permit, or approval issued under that law. This rule revises the references in PHMSA’s regulations by (1) revising the maximum penalty amount for a knowing violation and a knowing violation resulting in death, serious illness, or severe injury to any person or substantial destruction of property to \$77,114 and \$179,933, respectively, and (2) revising the minimum penalty amount to \$463 for a violation related to training.

##### B. Executive Order 12866, Executive Order 13563, and DOT Regulatory Policies and Procedures

This interim final rule has been evaluated in accordance with existing policies and procedures and determined to be non-significant under Executive Orders 12866 and 13563. However,