

(f) Actions and Compliance

Unless already done, do the following actions:

(1) Within the next 30 days after July 31, 2017 (the effective date of this AD), inspect all textile fabric covered fuel hoses located in the fuselage following Instructions 1. of DG Flugzeugbau GmbH Technical note (TN) No. 800-44, 500-10, DG-SS-02, dated November 9, 2016.

Note 2 to paragraph (f)(1) through (6) of this AD: DG Flugzeugbau GmbH TN No. 800-44, DG Flugzeugbau GmbH TN No. 500-10, and DG Flugzeugbau GmbH TN No. DG-SS-02, are all dated November 9, 2016, and co-published as one document.

(2) If any kinking or wet fabric covering is found during the inspection required in paragraph (f)(1) of this AD, within the next 14 days after the inspection, replace all textile fabric covered fuel hoses located in the fuselage following Instructions 2. of DG Flugzeugbau GmbH TN No. 800-44, 500-10, DG-SS-02, dated November 9, 2016, and DG-400 diagram 8, 6 TN DG-SS-02; DG-500M diagram 14, TN 500/10; DG-500MB diagram 14, TN 500/10; DG-800A/LA diagram 11, TN 800/44; DG-800B Solo 2625 diagram 11, TN 800/44; DG-800B Solo 2625 diagram 11a, TN 800/44; DG-800B Solo 2625 diagram 11b, TN 800/44; and DG-800B ab W.Nr. 8-155/from ser. no. 8-155 on, diagram 11d, TN 800/44, as applicable, all diagrams issued October 2016.

(3) If no kinking or wet fabric covering is found during the inspection required in paragraph (f)(1) of this AD, within the next 12 months after July 31, 2017 (the effective date of this AD), replace all textile fabric covered fuel hoses located in the fuselage following the instructions and diagrams specified in paragraph (f)(2) of this AD.

(4) Within 12 months after doing the replacements required in paragraph (f)(2) or (f)(3) of this AD, as applicable, and repetitively thereafter at intervals not to exceed 12 months, inspect all fuel hoses in the fuselage for any signs of wear, fissures, kinks, lack of tight fit, or leaks. For this inspection, the ignition switch must be turned on to run the electric fuel pump to demonstrate an operating fuel pressure. Do this inspection following Instructions 4. of DG Flugzeugbau GmbH TN No. 800-44, 500-10, DG-SS-02, dated November 9, 2016.

(5) If any signs of wear, fissures, kinks, lack of tight fit, or leaks are found during any inspection required in paragraph (f)(4) of this AD, replace the defective fuel hose in the fuselage following the instructions and diagrams specified in paragraph (f)(2) of this AD. Continue with the repetitive inspections as specified in paragraph (f)(4) of this AD.

(6) If no signs of wear, fissures, kinks, lack of tight fit, or leaks are found during any inspection required in paragraph (f)(4) of this AD, at intervals not to exceed 10 years, replace the fuel hoses in the fuselage with new fuel hoses following the instructions and diagrams specified in paragraph (f)(2) of this AD.

(g) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4165; fax: (816) 329-4090; email: jim.rutherford@faa.gov. Before using any approved AMOC on any glider to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) *Airworthy Product:* For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(h) Related Information

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2016-0259, dated December 21, 2016, for related information. You may examine the MCAI on the Internet at <https://www.regulations.gov/document?D=FAA-2017-0343-0002>.

(i) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) DG-400 diagram 8, issued October 2016 TN DG-SS-02.

(ii) DG-500M diagram 14, issued October 2016 TN 500/10.

(iii) DG-500MB diagram 14, issued October 2016 TN 500/10.

(iv) DG-800A/LA diagram 11, issued October 2016 TN 800/44.

(v) DG-800B Solo 2625 diagram 11, issued October 2016 TN 800/44.

(vi) DG-800B Solo 2625 diagram 11a, issued October 2016 TN 800/44.

(vii) DG-800B Solo 2625 diagram 11b, issued October 2016 TN 800/44.

(viii) DG-800B ab W.Nr. 8-155/from ser. no. 8-155 on, diagram 11d, issued October 2016 TN 800/44.

(ix) DG Flugzeugbau GmbH Technical note (TN) No. 800-44, 500-10, DG-SS-02, dated November 9, 2016.

Note 3 to paragraph (i)(2)(ix) of this AD: DG Flugzeugbau GmbH TN No. 800-44, DG Flugzeugbau GmbH TN No. 500-10, and DG Flugzeugbau GmbH TN No. DG-SS-02, are all dated November 9, 2016, and co-published as one document.

(3) For service information identified in this AD, DG Flugzeugbau GmbH, Otto-Lilienthal Weg 2, D-76646 Bruchsal, Germany; telephone: +49 (0)7251 3202-0; email: info@dg-flugzeugbau.de; Internet: http://www.dg-flugzeugbau.de/en/?noredirect=en_US.

(4) You may view this service information at the FAA, Small Airplane Directorate, 901

Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. In addition, you can access this service information on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2017-0343.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on June 19, 2017.

Pat Mullen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 2017-13127 Filed 6-23-17; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**14 CFR Parts 1264 and 1271**

RIN 2700-AE30

[Document Number NASA-17-039: Docket Number—NASA-2017-0002]

Implementation of the Federal Civil Penalties Inflation Adjustment Act

AGENCY: National Aeronautics and Space Administration.

ACTION: Interim final rule with request for public comment.

SUMMARY: The National Aeronautics and Space Administration (NASA) is publishing for public comment an interim final rule to adjust the civil monetary penalties within its jurisdiction for inflation, as required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act or the Act), as amended by the Debt Collection Improvement Act of 1996 and further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act). The revision to this rule is part of NASA's retrospective plan under Executive Order (E.O.) 13563 completed in August 2011. NASA's full plan can be accessed on the Agency's open Government Web site at <http://www.nasa.gov/open/>.

DATES: This interim final rule is effective August 25, 2017.

FOR FURTHER INFORMATION CONTACT: Bryan R. Diederich, Office of the General Counsel, NASA Headquarters, telephone (202) 358-0216.

SUPPLEMENTARY INFORMATION:

I. Background

The Inflation Adjustment Act, as amended by the 2015 Act, requires Federal agencies to adjust the civil penalty amounts within their jurisdiction for inflation by July 1, 2016, and then by January 15 every year thereafter.¹ Agencies must make the initial 2016 adjustments through an interim final rulemaking published in the **Federal Register**.² Under the amended Act, any increase in a civil penalty made under the Act will apply to penalties assessed after the increase takes effect, including penalties whose associated violation predated the increase.³ The inflation adjustments mandated by the Act serve to maintain the deterrent effect of civil penalties and to promote compliance with the law.

II. Method of Calculation

The Inflation Adjustment Act prescribes a specific method for calculating the inflation adjustments.⁴ As amended by the 2015 Act, the Act provides that the maximum (and

minimum, if applicable) amounts for each civil penalty must be increased by the “cost-of-living adjustment,” a term that the Act defines. For purposes of the initial adjustments that agencies must make by July 1, 2016, the “cost-of-living adjustment” is defined as the percentage increase in the Consumer Price Index between (1) October of the calendar year during which the civil penalty amount was established or adjusted under a provision of law other than the Inflation Adjustment Act and (2) October 2015. The Consumer Price Index to be used for purposes of this calculation is the Consumer Price Index for all urban consumers (CPI-U) published by the Department of Labor.⁵ The Office of Management and Budget (OMB) has published guidance for implementing this requirement.⁶ OMB’s guidance memorandum provides multipliers that agencies should use to adjust penalty amounts based on the year the penalty was established or last adjusted under

authority other than the Inflation Adjustment Act.

To determine the new penalty amount, the agency must apply the multiplier reflecting the “cost-of-living adjustment”⁷ to the penalty amount as it was most recently established or adjusted under a provision of law other than the Inflation Adjustment Act. The agency must then round that amount to the nearest dollar.⁸ The increase made by this initial adjustment may not exceed 150 percent of the penalty amount in effect on the date the 2015 Act was enacted, November 2, 2015.

III. Description of the Interim Final Rule

This interim final rule establishes the inflation-adjusted maximum amounts for each civil penalty within NASA’s jurisdiction. The following table lists the civil penalties within NASA’s jurisdiction and summarizes the relevant information needed to calculate the inflation adjustments pursuant to the statutory method.

Law	Penalty description	Penalty amount as established or last adjusted under a provision other than the Inflation Adjustment Act	Year penalty established or last adjusted under a provision other than the Inflation Adjustment Act	Penalty amount in effect on November 2, 2015
Program Fraud Civil Remedies Act of 1986	Maximum penalties for false claims	\$5,000	1986	\$5,000
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319.	Minimum penalty for use of appropriated funds to lobby or influence certain contracts.	10,000	1989	10,000
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319.	Maximum penalty for use of appropriated funds to lobby or influence certain contracts.	100,000	1989	100,000
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319.	Minimum penalty for failure to report certain lobbying transactions.	10,000	1989	10,000
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319.	Maximum penalty for failure to report certain lobbying transactions.	100,000	1989	100,000

NASA followed the procedure outlined above in part II to calculate the adjusted civil penalty amounts. In accordance with the statutory requirements and OMB guidance, NASA

multiplied each penalty amount as established or last adjusted under a provision other than the Inflation Adjustment Act by the OMB multiplier corresponding to the appropriate year,

and then rounded that amount to the nearest dollar, to calculate the new, inflation-adjusted civil penalty amount. The following chart summarizes the results of these calculations:

¹ See 28 U.S.C. 2461 note.

² The statute also provides that, for the initial 2016 adjustment, an agency may adjust a civil penalty by less than the otherwise required amount if (1) it determines, after publishing a notice of proposed rulemaking and providing an opportunity for comment, that increasing the civil penalty by the otherwise required amount would have a negative economic impact or that the social costs of increasing the civil penalty by the otherwise required amount outweigh the benefits, and (2) the Director of the Office of Management and Budget concurs with that determination. Inflation

Adjustment Act section 4(c), *codified at* 28 U.S.C. 2461 note. NASA has chosen not to make use of this exception.

³ Inflation Adjustment Act section 6, *codified at* 28 U.S.C. 2461 note.

⁴ Inflation Adjustment Act section 5, *codified at* 28 U.S.C. 2461 note.

⁵ U.S. Dep’t of Labor, Bureau of Labor Statistics, CPI Tables, <http://www.bls.gov/cpi/#tables>.

⁶ Memorandum from Shaun Donovan, Director, Office of Management and Budget, to the Heads of Executive Departments and Agencies (Feb. 24,

2016), <https://www.whitehouse.gov/sites/default/files/omb/memoranda/2016/m-16-06.pdf>.

⁷ The multipliers reflecting the “cost-of-living adjustment” that OMB provides are rounded to five decimal places. NASA has used the OMB multipliers in calculating its civil penalty adjustments.

⁸ In rounding to the nearest dollar, NASA has rounded down where the digit immediately following the decimal point is less than 5 and has rounded up where the digit immediately following the decimal point is 5 or greater.

Law	Penalty description	Penalty amount as established or last adjusted under a provision other than the Inflation Adjustment Act	Year penalty established or last adjusted under a provision other than the Inflation Adjustment Act	OMB "cost-of-living adjustment" multiplier	New penalty amount	New penalty amount adjusted for 150% threshold
Program Fraud Civil Remedies Act of 1986.	Maximum Penalties for False Claims.	\$5,000	1986	2.15628	\$10,781	\$10,781
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101-121, sec. 319.	Minimum Penalty for use of appropriated funds to lobby or influence certain contracts.	10,000	1989	1.89361	18,936	18,936
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101-121, sec. 319.	Maximum Penalty for use of appropriated funds to lobby or influence certain contracts.	100,000	1989	1.89361	189,361	189,361
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101-121, sec. 319.	Minimum penalty for failure to report certain lobbying transactions.	10,000	1989	1.89361	18,936	18,936
Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101-121, sec. 319.	Maximum penalty for failure to report certain lobbying transactions.	100,000	1989	1.89361	189,361	189,361

This rule codifies these civil penalty amounts by amending parts 1264 and 1271 of title 14 of the CFR.

IV. Legal Authority and Effective Date

NASA issues this rule under the Federal Civil Penalties Inflation Adjustment Act of 1990,⁹ as amended by the Debt Collection Improvement Act of 1996,¹⁰ and further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015,¹¹ which requires NASA to adjust the civil penalties within its jurisdiction for inflation according to a statutorily prescribed formula.

The Administrative Procedure Act (APA) generally requires an agency to publish a rule at least 30 days before its effective date.¹² This rule satisfies that requirement.

V. Request for Comment

Although notice and comment rulemaking procedures are not required, NASA invites comments on this notice. Commenters are specifically encouraged to identify any technical issues raised by the rule.

VI. Regulatory Requirements

Notice and Comment

Under the APA, notice and opportunity for public comment are not required if NASA finds that notice and public comment are impracticable, unnecessary, or contrary to the public interest.¹³ This interim final rule adjusts the civil penalty amounts within the NASA's jurisdiction for inflation, as required by the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996 and further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. The amendments in this interim final rule are technical, and they merely apply the statutory method for adjusting civil penalty amounts. For these reasons, NASA has determined that publishing a notice of proposed rulemaking and providing opportunity for public comment are unnecessary. Moreover, the statute expressly requires NASA to make these initial adjustments through an interim final rulemaking to be published by July 1, 2016,¹⁴ and OMB's guidance confirms that agencies need not complete a notice-and-comment process before promulgating

the rule.¹⁵ Therefore, the amendments are adopted in final form.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis.¹⁶

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995,¹⁷ NASA reviewed this interim final rule. No collections of information pursuant to the Paperwork Reduction Act are contained in the interim final rule.

List of Subjects in 14 CFR Parts 1264 and 1271

Claims, Penalties, Lobbying.

For the reasons stated in the preamble, the National Aeronautics and Space Administration amends 14 CFR parts 1264 and 1271 as follows:

PART 1264—IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL PENALTIES ACT OF 1986

- 1. The authority citation for part 1264 continues to read as follows:

¹⁵ Memorandum from Shaun Donovan, Director, Office of Management and Budget, to the Heads of Executive Departments and Agencies 3 (Feb. 24, 2016), <https://www.whitehouse.gov/sites/default/files/omb/memoranda/2016/m-16-06.pdf>.

¹⁶ 5 U.S.C. 603(a), 604(a).

¹⁷ 44 U.S.C. 3506-.

⁹ Public Law 101-410, 104 Stat. 890 (1990).

¹⁰ Public Law 104-134, section 31001(s)(1), 110 Stat. 1321, 1321-373 (1996).

¹¹ Public Law 114-74, section 701, 129 Stat. 584, 599 (2015).

¹² See 5 U.S.C. 533(d).

¹³ 5 U.S.C. 533(b)(B).

¹⁴ Inflation Adjustment Action, section 4(b)(1)(A), codified at 28 U.S.C. 2461 note.

Authority: 31 U.S.C. 3809, 51 U.S.C. 20113(a).

§ 1264.102 [Amended]

■ 2. In § 1264.102, paragraphs (a) and (b), remove the number “\$5,000” and add in its place the number “\$10,781”.

PART 1271—NEW RESTRICTIONS ON LOBBYING

■ 3. The authority citation for part 1271 continues to read as follows:

Authority: Section 319, Pub. L. 101–121 (31 U.S.C. 1352); Pub. L. 97–258 (31 U.S.C. 6301 *et seq.*).

Subpart D—Penalties and Enforcement

§ 1271.400 [Amended]

■ 4. In § 1271.400:

■ a. In paragraphs (a) and (b), remove the words “not less than \$10,000 and not more than \$100,000” and add in their place the words “not less than \$18,936 and not more than \$189,361”; and

■ b. In paragraph (e), remove the two occurrences of “\$10,000” and add in their places “\$18,936” and remove “\$100,000” and add in its place “\$189,361”.

Appendix A to Part 1271 [Amended]

■ 6. In appendix A to part 1271, in paragraph following paragraph (3) and in the last paragraph of the appendix, remove the words “not less than \$10,000 and not more than \$100,000” and add in their place the words “not less than \$18,936 and not more than \$189,361”.

Cheryl E. Parker,

NASA Federal Register Liaison Officer.

[FR Doc. 2017–13209 Filed 6–23–17; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 5, 11, 16, 17, 18, 19, 20, 21, 48, 140, and 150

RIN 3038–AE42

Commission Delegated Authority Provisions and Technical Amendments

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: The Commodity Futures Trading Commission (the “Commission” or “CFTC”) is adopting final rules to establish new and amend certain existing delegations of authority to Commission staff. The Commission is also adopting amendments to update

statutory authority citations and correct limited typographical and technical errors in certain rules.

DATES: This rule is effective June 26, 2017.

FOR FURTHER INFORMATION CONTACT:

David Van Wagner, Chief Counsel, Division of Market Oversight, (202) 418–5481, dvanwagner@cftc.gov; Jeanette Curtis, Special Counsel, Division of Market Oversight, (202) 418–5669, jcurtis@cftc.gov; Gretchen L. Lowe, Chief Counsel, Division of Enforcement, (202) 418–5379, glowe@cftc.gov; or Edward Wehner, IT Specialist, Office of Data and Technology, (202) 418–6764, ewehner@cftc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. Commission Delegations of Authority

The Commission is adopting final rules to establish new and amend certain existing delegations of authority to Commission staff. Previously, the Commission delegated, to the Director of the Division of Market Oversight (“DMO”), various authorities for implementing certain Commission regulations.¹ Many of these delegated authorities have been carried out by staff in DMO’s Surveillance Branch. However, as a result of the recent Commission organizational restructuring, which moved DMO’s Surveillance Branch to the Division of Enforcement (“DOE”), the Commission has completed a full review of DMO delegated authorities and decided to remove certain delegated authorities from the DMO Director, other division directors, and certain Commission staff. The Commission is delegating such authorities to the Director of DOE or the Director of the Office of Data and Technology (“ODT”). In addition, the Commission is adding new delegations of authority to certain of the part 48 provisions that govern the registration of Foreign Boards of Trade (“FBOT”).

B. Statutory Authority Citations and Technical Corrections

For certain regulations, the Commission is revising the statutory authority citations to reflect the most current citation. On July 21, 2010, President Obama signed the Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”) into law.² Title VII of the Dodd-Frank Act amended

¹ 17 CFR 5.20(d), 11.2(a), 16.07, 18.03, 19.00(a)(3), 20.8, 21.05, 140.72(a), 140.73, 140.74, 140.97, 150.3(b), and 150.4(e) (Commission delegations of authority to the DMO Director prior to this final rule).

² Public Law 111–203, 124 Stat. 1376 (July 21, 2010).

provisions of the Commodity Exchange Act (“CEA”)³ to establish a comprehensive framework for the regulation of swaps and security-based swaps. However, according to the **Federal Register** drafting handbook, it is recommended that the Commission only list the current United States Code (“U.S.C.”) citation when it is available.⁴ As such, the Commission need only cite the Dodd-Frank Act as the amending statutory authority for each rule part until such amendments are codified in the U.S.C. Since the Dodd-Frank Act provisions have been codified in the U.S.C., the Commission is revising the citation authority preceding certain Commission regulations to reflect the current U.S.C. citations.

In addition, the Commission is amending certain of its regulations to revise a limited number of typographical and formatting errors, and to delete a duplicate regulation.

II. Amended Regulations

A. Part 5

Part 5 of the Commission’s regulations governs off-exchange foreign currency transactions. Section 5.20(d) covers Commission delegated authority to the DMO Director to make special calls for information on controlled accounts from retail foreign exchange dealers, futures commission merchants (“FCMs”) and introducing brokers (“IBs”), and to make special calls for information on open contracts in accounts carried or introduced by FCMs, IBs, and foreign brokers. The Commission is amending its delegation of authority in § 5.20(d) to remove the DMO Director from its list of delegates and to delegate such authority to the DOE Director, or such other employee or employees as the Director may designate from time to time. The Commission is also deleting the Dodd-Frank Act reference from the part 5 statutory authority citation.

B. Part 11

Part 11 of the Commission’s regulations establishes rules relating to investigations. Section 11.2(a) delegates authority to the DOE Director, the Director of the Division of Swap Dealer and Intermediary Oversight (“DSIO”), the Director of the Division of Clearing and Risk (“DCR”), the Director of DMO, the Chief Economist, and members of their staffs acting within the scope of their respective responsibilities, to

³ 7 U.S.C. 1 *et seq.* (2012).

⁴ See National Archives and Records Administration, Office of the Federal Register, Document Drafting Handbook, section 3.12 (Authority citations), 3–26 (May 2017 update, Revision 2, June 7, 2017).