§ 702.810 What weekly minimum rates apply to compensation for permanent total disability?

(a) The weekly minimum compensation payable for the fiscal year in which the employee became permanently and totally disabled is the lower of:

(1) The minimum rate in effect on the date of disability, or

(2) The employee’s average weekly wage on the date of disability.

(b) For all periods the employee is permanently and totally disabled in subsequent fiscal years, the weekly minimum compensation payable is the lower of:

(1) Each subsequent fiscal year’s minimum rate, or

(2) The employee’s average weekly wage on the date of disability.

(c) Example: Employee A suffers a covered workplace injury on April 1, 2003, and is permanently totally disabled from that day forward. He was earning $250.00 a week when he was injured. His calculated compensation rate is $166.67 ($250 × 2 ÷ 3). The FY 2003 minimum rate is $249.14. Because A’s calculated compensation rate is below the FY 2003 minimum rate, and his actual weekly wage is above that rate, he is entitled to compensation at the minimum rate of $249.14 from April 1, 2003, to September 30, 2003. The FY 2004 minimum rate is $257.70. Because A’s actual weekly wages on the date of disability are lower than the FY 2004 minimum rate, A’s minimum weekly compensation rate for FY 2004 is $250.00. His weekly compensation rate for FY 2004, however, is higher because of a section 10(f) adjustment. For FY 2004, A’s compensation rate is increased by a 3.44% section 10(f) adjustment, raising his compensation level to $258.00 ($249.14 × 1.0344 = $258.00). A’s compensation rate is $257.71, rounded to the nearest dollar.

§ 702.811 What weekly minimum rates apply to death benefits?

(a) The average weekly wage used to compute death benefits is the greater of—

(1) The deceased employee’s average weekly wages; or

(2) The national average weekly wage in effect at the time of the employee’s death.

(b) The weekly minimum rate does not apply to death benefits.
VTC Meetings—May 10 and June 6, 2018

Interested participants may attend these meetings in-person at MSHA’s Headquarters in Arlington, VA or by participating by VTC at one of our seven local offices around the country (See table below).

<table>
<thead>
<tr>
<th>VTC Location</th>
<th>Address/contact number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arlington, VA (Host Location)</td>
<td>MSHA Headquarters, 201 12th Street South, Arlington, VA 22202, Room 4C304, 202–693–9450.</td>
</tr>
<tr>
<td>Birmingham, AL</td>
<td>MSHA District Office 11, 1030 London Drive, Birmingham, AL 35211, Suite 400 (next to Canon Office Building), 205–290–7294.</td>
</tr>
<tr>
<td>Denver, CO</td>
<td>MSHA District Office 9, Denver Federal Center, 6th &amp; Kipling, 2nd Street, Bldg. 25, Denver, CO 80225, Enter through Gate 2-Visitors, 303–231–5465.</td>
</tr>
<tr>
<td>Mesa, AZ</td>
<td>Mesa Field Office, 63 East Main Street, Suite 402, Mesa, AZ 85201, 480–649–5452.</td>
</tr>
<tr>
<td>Warrendale, PA</td>
<td>MSHA Northeastern District Office, 178 Thorn Hill Road, Suite 100, Warrendale, PA 15086, 724–772–2334.</td>
</tr>
<tr>
<td>Vacaville, CA</td>
<td>MSHA Western District Office, 991 Nut Tree Road, Vacaville, CA 95687, Will be escorted to Conference Room, 707–447–7864.</td>
</tr>
</tbody>
</table>

(1) To participate in Arlington, VA: (a) Send an email to zzMSHAcomments@dol.gov. (b) Address—201 12th Street South, 4th Floor Conference Space in Room 4C304, in Arlington, VA 22202. • When you enter the building, take the elevators to your right up to the 4th floor East reception area to check in. You will then be escorted to room 4C304. • Nearest metro stations: Pentagon, Pentagon City, Crystal City. Parking is available on the street and in the building. (2) To participate by VTC at one of the seven local offices, send an email to zzMSHAcomments@dol.gov.

II. Background

On January 23, 2017, MSHA published a final rule (January 2017 rule) amending the standards then in effect on examinations of working places in metal and nonmetal mines, 30 CFR 56.18002 and 57.18002 (82 FR 7680). The January 2017 final rule, which was scheduled to become effective on May 23, 2017, was stayed until June 2, 2018 (82 FR 46411). On September 12, 2017, MSHA published a proposed rule that would make limited changes to the January 2017 final rule (82 FR 42765). The final rule, published April 9, 2018 (83 FR 15055), is effective on June 2, 2018.

DEPARTMENT OF DEFENSE

Department of the Army

32 CFR Part 518

[Doct ID: USA–2017–HQ–0006]

RIN 0702–AA79

The Freedom of Information Act Program

AGENCY: Department of the Army, DoD.

ACTION: Final rule.

SUMMARY: This final rule removes the Department of the Army’s regulation concerning the Freedom of Information Act program. On February 6, 2018, the