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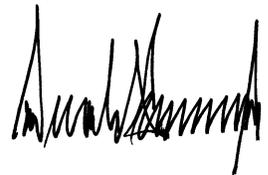
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Title 3—**Presidential Determination No. 2019–07 of January 16, 2019****The President****Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended****Memorandum for the Secretary of Defense**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the “Act”) (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that the domestic capability for advanced manufacturing techniques for the production of chemicals in munitions is essential to the national defense.

Without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the capability for advanced manufacturing techniques for the production of chemicals in munitions adequately and in a timely manner. Further, purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical capability.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, January 16, 2019

Presidential Documents

Presidential Determination No. 2019–08 of January 16, 2019

Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the “Act”) (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that the domestic production capability for energetic materials for munitions is essential to the national defense.

Without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the production capability for energetic materials for munitions adequately and in a timely manner. Further, purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical capability.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, January 16, 2019

Presidential Documents

Presidential Determination No. 2019–09 of January 16, 2019

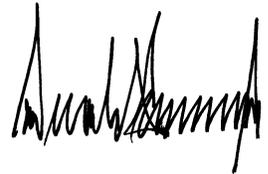
Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the “Act”) (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that the domestic production capability for inert materials for munitions is essential to the national defense.

Without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the production capability for inert materials for munitions adequately and in a timely manner. Further, purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical capability.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, January 16, 2019

Presidential Documents

Presidential Determination No. 2019–10 of January 16, 2019

Presidential Determination Pursuant to Section 303 of the Defense Production Act of 1950, as Amended

Memorandum for the Secretary of Defense

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 303 of the Defense Production Act of 1950, as amended (the “Act”) (50 U.S.C. 4533), I hereby determine, pursuant to section 303(a)(5) of the Act, that the domestic production capability for precursor materials for munitions is essential to the national defense.

Without Presidential action under section 303 of the Act, United States industry cannot reasonably be expected to provide the production capability for precursor materials for munitions adequately and in a timely manner. Further, purchases, purchase commitments, or other action pursuant to section 303 of the Act are the most cost-effective, expedient, and practical alternative method for meeting the need for this critical capability.

You are authorized and directed to publish this memorandum in the *Federal Register*.



THE WHITE HOUSE,
Washington, January 16, 2019

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.

The Code of Federal Regulations is sold by the Superintendent of Documents.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2018-1085; Product Identifier 2018-SW-100-AD; Amendment 39-19541; AD 2019-01-02]

RIN 2120-AA64

Airworthiness Directives; Aspen Avionics, Inc., Evolution Flight Display Units

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: We are adopting a new airworthiness directive (AD) for certain Aspen Avionics, Inc. (Aspen), Evolution Flight Display (EFD) EFD1000 Primary Flight Display (PFD), EFD1000 Multi-Function Display (MFD), EFD1000 Emergency Backup Display (EBD), and EFD500 MFD units installed on various aircraft. This AD requires disabling the Automatic Dependent Surveillance-Broadcast (ADS-B) In function and revising the Airplane Flight Manual Supplement (AFMS). This AD was prompted by reports of flight displays repetitively resetting. We are issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective February 7, 2019.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of February 7, 2019.

We must receive comments on this AD by March 11, 2019.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202-493-2251.

- *Mail:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Aspen Avionics, Inc., 5001 Indian School Rd. NE, Suite 100, Albuquerque, NM 87110; telephone 888-992-7736; email fieldserviceengineers@aspenavionics.com; or at <https://aspenavionics.com>. You may view this service information at the FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy., Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-1085.

Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2018-1085; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, the regulatory evaluation, the Special Airworthiness Information Bulletin (SAIB), any comments received, and other information. The street address for Docket Operations (phone: 800-647-5527) is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT:

Kristi Bradley, Aerospace Engineer, COS Section, Fort Worth ACO Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone 817-222-5140; email kristin.bradley@faa.gov.

SUPPLEMENTARY INFORMATION:

Discussion

On November 21, 2018, we issued SAIB SW-18-31 to alert owners and operators of an airworthiness concern for aircraft with an Aspen EFD1000 PFD, an EFD1000 MFD, an EFD1000

EBD, or an EFD500 MFD unit, as installed by Supplemental Type Certificate (STC) No. SA10822SC. SAIB SW-18-31 was prompted by 14 reports of flight display units repeatedly resetting, uncommanded, in flight. In installations where multiple Aspen EFDs provide redundancy, this repeat resetting may result in loss of all altitude, attitude, and airspeed information during the reset period. The units reset in five- to ten-minute intervals. For each occurrence, it may take the display up to one minute to recover. While the cause of this issue is under investigation, preliminary information suggests that the cause may be related to the ADS-B In (FIS-B) Weather Interface option installed on the units with software version 2.9. SAIB SW-18-31 recommends restricting flight to flight under Visual Flight Rules (VFR) only and suspending night operations to allow safe operation in the event of loss of flight display functionality. Alternatively, SAIB SW-18-31 recommends disabling the ADS-B In (FIS-B) option, which is not required. SAIB SW-18-31 also requests that owners and operators notify the FAA of aircraft that experience any similar events.

SAIB SW-18-31 was issued to notify the public that an unsafe condition may exist. Since we issued SAIB SW-18-31, additional analysis of the reports of uncommanded resets and the nature of the possible unsafe condition were evaluated, and we have determined that a more urgent safety need requiring AD action is necessary. As a result, we are adopting this AD for certain Aspen EFD1000 PFD, EFD1000 MFD, EFD1000 EBD, and EFD500 MFD units installed on various airplanes. This AD requires disabling the ADS-B In function and revising the AFMS to reflect that the ADS-B In has been disabled on the unit. The actions specified in this AD are intended to prevent intermittent loss of airspeed, attitude, and altitude information during flight. The unsafe condition, if not addressed, could result in loss of control of the airplane in Instrument Meteorological Conditions (IMC) or at night.

Related Service Information Under 1 CFR Part 51

We reviewed Aspen Avionics Mandatory Service Bulletin No. SB2018-01, dated November 21, 2018.

This service information contains procedures to disable the ADS-B In function and revise the AFMS.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

Other Related Service Information

We reviewed Aspen Avionics AFMS No. 900-00008-001, Revision AD, dated November 18, 2016, and approved December 8, 2016. This service information contains general information, operating limitations, emergency and normal procedures, performance information, weight and balance information, and system description information for airplanes with Aspen flight display units installed.

FAA's Determination

We are issuing this AD because we evaluated all the relevant information and determined the unsafe condition described previously is likely to exist or develop in other products of these same designs.

AD Requirements

This AD requires disabling the ADS-B In function in each installer menu by changing the RS-232 INPUT for the bus connected to the ADS-B In to NONE. This AD also requires revising the AFMS to reflect each disabled unit.

Differences Between the AD and the Service Information

The service information specifies contacting an Aspen Avionics dealer to disable the ADS-B In function, whereas this AD requires contacting the FAA for approval of the procedure.

Interim Action

We consider this AD interim action. The design approval holder is currently developing a modification that will address the unsafe condition identified in this AD. Once this modification is developed, approved, and available, we might consider additional rulemaking.

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because intermittent loss of airspeed, attitude, and altitude information during flight could result in loss of control of the airplane in

Instrument Meteorological Conditions (IMC) or at night. The compliance time for the required action is shorter than the time necessary for the public to comment and for publication of the final rule. Therefore, we find good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reason stated above, we find that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment. However, we invite you to send any written data, views, or arguments about this final rule. Send your comments to an address listed under the **ADDRESSES** section. Include Docket No. FAA-2018-1085 and Product Identifier 2018-SW-100-AD at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this final rule. We will consider all comments received by the closing date and may amend this final rule because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this final rule.

Costs of Compliance

We estimate that this AD affects 2,000 aircraft of U.S. registry. We estimate that operators may incur the following costs in order to comply with this AD. Labor costs are estimated at \$85 per work-hour.

Disabling the ADS-B In function and revising the AFMS would take about 0.5 work-hour for an estimated cost of \$43 per unit and up to \$258,000 for the U.S. fleet.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. "Subtitle VII: Aviation Programs" describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations

for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

This AD is issued in accordance with authority delegated by the Executive Director, Aircraft Certification Service, as authorized by FAA Order 8000.51C. In accordance with that order, issuance of ADs is normally a function of the Compliance and Airworthiness Division, but during this transition period, the Executive Director has delegated the authority to issue ADs applicable to small airplanes, gliders, balloons, airships, domestic business jet transport airplanes, and associated appliances to the Director of the Policy and Innovation Division.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a "significant regulatory action" under Executive Order 12866,
- (2) Is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

- 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

2019-01-02 Aspen Avionics, Inc.:

Amendment 39-19541; Docket No. FAA-2018-1085; Product Identifier 2018-SW-100-AD.

(a) Effective Date

This AD is effective February 7, 2019.

(b) Affected ADs

None.

(c) Applicability

(1) This AD applies to Aspen Avionics, Inc., Evolution Flight Display (EFD) EFD1000 Primary Flight Display, EFD1000 Multi-Function Display (MFD), EFD1000 Emergency Backup Display, or EFD500 MFD units, that are installed on various aircraft and meet all conditions in paragraphs (c)(1)(i), (c)(1)(ii), and (c)(1)(iii) of this AD.

(i) Software version 2.9 (SW 2.9) is installed;

(ii) The Flight Information Service-Broadcast (FIS-B) Weather Interface option is enabled; and

(iii) Independent airspeed, attitude, and altitude back-up instruments are not installed.

(2) Airplanes known to have these flight display units installed include, but are not limited to, the following:

(i) Aermacchi S.p.A. Model S.205-18/F, S.205-18/R, S.205-20/F, S.205-20/R, S.205-22/R, S.208, and S.208A airplanes;

(ii) Aeronautica Macchi S.p.A. Model AL 60 (previously designated as Model LASA 60), AL 60-B, AL 60-C5, and AL 60-F5 airplanes;

(iii) Aerostar Aircraft Corporation Model PA-60-600 (Aerostar 600), PA-60-601 (Aerostar 601), PA-60-601P (Aerostar 601P), and PA-60-602P (Aerostar 602P) airplanes;

(iv) Alexandria Aircraft, LLC (type certificate previously held by Bellanca, Inc.), Model 14-19, 14-19-2, 14-19-3, 14-19-3A, 17-30, 17-30A, 17-31, 17-31A, 17-31ATC, and 17-31TC airplanes;

(v) American Champion Aircraft Corp. Model 402, 7ECA, 7GCAA, 7GCBC, 7KCAB, 8GCBC, and 8KCAB airplanes;

(vi) APEX Aircraft Model CAP 10 B airplanes;

(vii) Cirrus Design Corporation Model SR20 and SR22 airplanes;

(viii) Commander Aircraft Corporation (type certificate previously held by CPAC, Inc.) Model 112, 112B, 112TC, 112TCA, 114, 114A, 114B, and 114TC airplanes;

(ix) Consolidated Vultee Aircraft Corporation, Stinson Division, Model V-77 (Army AT-19) airplanes;

(x) Diamond Aircraft Industries, Inc., Model DA20-A1 and DA20-C1 airplanes;

(xi) Diamond Aircraft Industries, Inc. (type certificate previously held by Diamond Aircraft Industries GmbH), Model DA 40 and DA 40F airplanes;

(xii) Discovery Aviation, Inc. (type certificate previously held by Liberty Aerospace Incorporated), Model XL-2 airplanes;

(xiii) Dynac Aerospace Corporation Model Aero Commander 100, Aero Commander 100A, Aero Commander 100-180, Volaire 10, and Volaire 10A airplanes;

(xiv) EADS-PZL "Warszawa-Okecie" S.A. (type certificate previously held by Panstwowe Zaklady Lotnicze) Model PZL-104 WILGA 80, PZL-104M WILGA 2000, PZL-104MA WILGA 2000, PZL-KOLIBER 150A, and PZL-KOLIBER 160A airplanes;

(xv) Extra Flugzeugproduktions- und Vertriebs- GmbH (type certificate previously held by Extra Flugzeugbau GmbH) Model EA 300, EA 300/L, EA 300/S, EA 300/200, and EA 400 airplanes;

(xvi) Frakes Aviation (type design controlled by FAA, Southern Region, for Grumman American Aviation Corporation) Model G-44 (Army OA-14, Navy J4F-2), G-44A, and SCAN Type 30 airplanes;

(xvii) FS 2003 Corporation (type certificate previously held by The New Piper Aircraft, Inc.) Model PA-12 and PA-12S airplanes;

(xviii) GROB Aircraft AG (type certificate previously held by GROB Aerospace GmbH i.l.) Model G115, G115A, G115B, G115C, G115C2, G115D, G115D2, G115EG, and G120A airplanes;

(xix) Helio Aircraft, LLC, Model H-250, H-295 (USAF U-10D), H-391 (USAF UL-24), H-391B, H-395 (USAF L-28A and U-10B), H-395A, H-700, H-800, HST-550, HST-550A (USAF AU-24A), and HT-295 airplanes;

(xx) Interceptor Aviation, Inc. (type certificate previously held by Interceptor Aircraft Corporation), Model 200, 200A, 200B, 200C, 200D, and 400 airplanes;

(xxi) Lockheed Martin Aeronautics Company Model 402-2 airplanes;

(xxii) Maule Aerospace Technology, Inc. (type certificate previously held by Maule Aircraft Corporation), Model Bee Dee M-4, M-4, M-4C, M-4S, M-4T, M-4-180C, M-4-180S, M-4-180T, M-4-210, M-4-210C, M-4-210S, M-4-210T, M-4-220, M-4-220C, M-4-220S, M-4-220T, M-5-180C, M-5-200, M-5-210C, M-5-210TC, M-5-220C, M-5-235C, M-6-180, M-6-235, M-7-235, M-7-235A, M-7-235B, M-7-235C, M-7-220C, M-7-260C, M-7-420A, M-7-420AC, M-8-235, MT-7-235, MT-7-260, MT-7-420, MX-7-160, MX-7-160C, MX-7-180, MX-7-180A, MX-7-180AC, MX-7-180B, MX-7-180C, MX-7-235, MX-7-420, MXT-7-160, MXT-7-180, and MXT-7-180A airplanes;

(xxiii) Mooney Aircraft Corporation Model M22 airplanes.

(xxiv) Mooney International Corporation (type certificate previously held by Mooney Aviation Company, Inc.) Model M20, M20A, M20B, M20C, M20D, M20E, M20F, M20G, M20J, M20K, M20L, M20M, M20R, and M20S airplanes;

(xxv) Pacific Aerospace, Ltd. (type certificate previously held by Found Aircraft Canada, Inc.), Model FBA-2C, FBA-2C1, and FBA-2C2 airplanes;

(xxvi) Pilatus Aircraft, Ltd., Model PC-6, PC-6-H1, PC-6-H2, PC-6/350, PC-6/350-H1, PC-6/350-H2, PC6/A, PC-6/A-H1, PC-6/A-H2, PC-6/B-H2, PC-6/B1-H2, PC-6/B2-H2, PC-6/B2-H4, PC-6/C-H2, and PC-6/C1-H2 airplanes;

(xxvii) Piper Aircraft, Inc. (type certificate previously held by The New Piper Aircraft,

Inc.), Model PA-18, PA-18 "105" (Special), PA-18 "125" (Army L-21A), PA-18 "135" (Army L-21B), PA-18 "150," PA-18A, PA-18A "135," PA-18A "150," PA-18AS "125," PA-18AS "135," PA-18AS "150," PA-18S, PA-18S "105" (Special), PA-18S "125," PA-18S "135," PA-18S "150," PA-19 (Army L-18C), PA-19S, PA-20, PA-20 "115," PA-20 "135," PA-20S, PA-20S "115," PA-20S "135," PA-22, PA-22-108, PA-22-135, PA-22-150, PA-22-160, PA-22S-135, PA-22S-150, PA-22S-160, PA-23, PA-23-160, PA-23-235, PA-23-250, PA-24, PA-24-250, PA-24-260, PA-24-400, PA-28-140, PA-28-150, PA-28-151, PA-28-160, PA-28-161, PA-28-180, PA-28-181, PA-28-201T, PA-28-235, PA-28-236, PA-28R-180, PA-28R-200, PA-28R-201, PA-28R-201T, PA-28RT-201, PA-28RT-201T, PA-28S-160, PA-28S-180, PA-30, PA-32-260, PA-32-300, PA-32-301, PA-32-301FT, PA-32-301T, PA-32-301XTC, PA-32R-300, PA-32R-301 (HP), PA-32R-301 (SP), PA-32R-301T, PA-32RT-300, PA-32RT-300T, PA-32S-300, PA-34-200, PA-34-200T, PA-34-220T, PA-39, PA-40, PA-44-180, PA-44-180T, PA-46-310P, and PA-46-350P airplanes;

(xxviii) Polskie Zaklady Lotnicze Spolka zo.o (type certificate previously held by PZL MIELEC) Model PZL M26 01 airplanes;

(xxix) Revo, Incorporated Model Colonial C-1, Colonial C-2, Lake LA-4, Lake LA-4A, Lake LA-4P, Lake LA-4-200, and Lake Model 250 airplanes;

(xxx) Robert E. Rust, Jr. (type certificate previously held by Robert E. Rust), Model DHC-1 Chipmunk Mk 21, DHC-1 Chipmunk Mk 22 and DHC-1 Chipmunk Mk 22A airplanes;

(xxxii) Sierra Hotel Aero, Inc. (type certificate previously held by Navion Aircraft, LLC), Model Navion (Army L-17A), Navion A (Army L-17B and L-17C), Navion B, Navion D, Navion E, Navion F, Navion G, and Navion H airplanes;

(xxxiii) Slingsby Aviation, Ltd., Model T67M260 and T67M260-T3A airplanes;

(xxxiv) SOCATA (type certificate previously held by Socata Groupe Aerospatiale) Model MS 880B, MS 885, MS 892A-150, MS 892E-150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 100S, Rallye 150ST, Rallye 150T, Rallye 235C, Rallye 235E, TB 9, TB 10, TB 20, TB 21, and TB 200 airplanes;

(xxxv) SOCATA, S.A., Socata Groupe Aerospatiale, Model GA-7 (Cougar) airplanes;

(xxxvi) Spartan Model 7W (Army UC-71) airplanes;

(xxxvii) Swift Museum Foundation, Inc., Model GC-1A and GC-1B airplanes;

(xxxviii) Symphony Aircraft Industries, Inc. (type certificate previously held by Ostmecklenburgische Flugzeugbau GmbH), Model OMF-100-160 and SA 160 airplanes;

(xxxix) Textron Aviation, Inc. (type certificate previously held by Cessna Aircraft Company), Model 120, 140, 140A, 150, 150A, 150B, 150C, 150D, 150E, 150F, 150G, 150H, 150J, 150K, 150L, 150M, 152, 170, 170A, 170B, 172, 172A, 172B, 172C, 172D, 172E, 172F (USAF T-41A), 172G, 172H (USAF T-41A), 172I, 172K, 172L, 172M, 172N, 172P, 172Q, 172R, 172RG, 172S, 175, 175A, 175B,

175C, 177, 177A, 177B, 177RG, 180, 180A, 180B, 180C, 180D, 180E, 180F, 180G, 180H, 180J, 180K, 182, 182A, 182B, 182C, 182D, 182E, 182F, 182G, 182H, 182J, 182K, 182L, 182M, 182N, 182P, 182Q, 182R, 182S, 182T, 185, 185A, 185B, 185C, 185D, 185E, 206, 206H, 207, 207A, 210, 210A, 210B, 210C, 210D, 210E, 210F, 210G, 210H, 210J, 210K, 210L, 210M, 210N, 210R, 210-5 (205), 210-5A (205A), 310, 310A (USAF U-3A), 310B, 310C, 310D, 310E (USAF U-3B), 310F, 310G, 310H, 310I, 310J, 310J-1, 310K, 310L, 310N, 310P, 310Q, 310R, 320, 320A, 320B, 320C, 320D, 320E, 320F, 320-1, 335, 336, 337, 337A, 337B, 340, 340A, A150K, A150L, A150M, A152, A185E, A185F, E310H, E310J, LC40-550FG, LC41-550FG, LC42-550FG, P172D, P206, P206A, P206B, P206C, P206D, P206E, P210N, P210R, R172E (USAF T-41B, USAF T-41C or D), R172F (USAF T-41D), R172G (USAF T-41C or D), R172H (USAF T-41D), R172J, R172K, R182, T182, T182T, T206H, T207, T207A, T210F, T210G, T210H, T210J, T210K, T210L, T210M, T210N, T210R, T-303, T310P, T310Q, T310R, TP206A, TP206B, TP206C, TP206D, TP206E, TR182, TU206A, TU206B, TU206C, TU206D, TU206E, TU206F, TU206G, U206, U206A, U206B, U206C, U206D, U206E, U206F, and U206G airplanes;

(xxxix) Textron Aviation, Inc. (type certificate previously held by Hawker Beechcraft Corporation and Beechcraft Corporation), Model 19A, 23, 35, 35R, 35-33, 35-A33, 35-B33, 35-C33, 35-C33A, 36, 45 (YT-34), 50 (L-23A), 56TC, 58, 58A, 58P, 58PA, 58TC, 58TCA, 76, 95, 95-55, 95-A55, 95-B55, 95-B55A, 95-B55B (T-42), 95-C55, 95-C55A, A23, A23A, A23-19, A23-24, A24, A24R, A35, A36, A36TC, A45 (T-34A, B-45), A56TC, B19, B23, B24R, B35, B36TC, B50 (L-23B), B95, B95A, C23, C24R, C35, C50, D35, D45 (T-34B), D50 (L-23E), D50A, D50B, D50C, D50E, D50E-5990, D55, D55A, D95A, E33, E33A, E33C, E35, E50 (L-23D, RL-23D), E55, E55A, E95, F33, F33A, F33C, F35, F50, G33, G35, G50, H35, H50, J35, J50, K35, M19A, M35, N35, P35, S35, V35, V35A, and V35B airplanes;

(xl) The Boeing Company (type certificate previously held by Rockwell International) Model AT-6 (SNJ-2), AT-6A (SNJ-3), AT-6B, AT-6C (SNJ-4), AT-6D (SNJ-5), AT-6F (SNJ-6), BC-1A, SNJ-7, and T-6G airplanes;

(xli) The King's Engineering Fellowship (TKEF) Model 44 airplanes;

(xlii) The Waco Aircraft Company (type certificate transferred to the public domain) Model YMF airplanes;

(xliii) Topcub Aircraft, Inc. (type certificate previously held by Cub Crafters, Inc.), Model CC18-180 and CC18-180A airplanes;

(xliv) True Flight Holdings, LLC (type certificate previously held by Tiger Aircraft, LLC), Model AA-1, AA-1A, AA-1B, AA-1C, AA-5, AA-5A, AA-5B, and AG-5B airplanes;

(xlv) Twin Commander Aircraft, LLC, Model 500, 520, 560, and 560A airplanes;

(xlvi) Univair Aircraft Corporation Model 108, 108-1, 108-2, 108-3, and 108-5 airplanes;

(xlvii) Viking Air Limited (type certificate previously held by Bombardier, Inc., and deHavilland, Inc.) Model DHC-2 Mk. I, DHC-2 Mk. II, and DHC-2 Mk. III airplanes;

(xlviii) Vulcanair S.p.A. (type certificate previously held by Partenavia Costruzioni Aeronautiche S.p.A.) Model AP68TP-300 "Spartacus," AP68TP-600 "Viator," P.68, P.68 "Observer," P.68 "Observer 2," P.68B, P.68C, P.68C-TC, and P.68TC "Observer" airplanes;

(xlix) WSK PZL Mielec and OBR SK Mielec Model PZL M20 03 airplanes;

(l) W.Z.D. Enterprises, Inc. (type certificate previously held by JGS Properties, LLC, and Quartz Mountain Aerospace, Inc.), Model 11A and 11E airplanes;

(li) Zenair, Ltd., Model CH2000 airplanes; and

(lii) Zlin Aircraft a.s. (type certificate previously held by Moravan a.s.) Model Z-143L and Z-242L airplanes.

(d) Subject

Joint Aircraft System Component (JASC): 3410, Flight Environment Data; and 3420, Attitude and Direction Data System.

(e) Unsafe Condition

This AD was prompted by reports of repetitive uncommanded resetting of the flight display units. We are issuing this AD to prevent intermittent loss of airspeed, attitude, and altitude information during flight. The unsafe condition, if not addressed, could result in loss of control of the airplane in Instrument Meteorological Conditions (IMC) or at night.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

Before the next flight in IMC or at night, or within 25 hours' time-in-service, whichever occurs first:

(1) Disable the Automatic Dependent Surveillance-Broadcast (ADS-B) In function in each unit by following the Procedure, paragraphs 5.2.a. and b., of Aspen Avionics Mandatory Service Bulletin No. SB2018-01, dated November 21, 2018 (SB2018-01); except, where SB2018-01 specifies contacting an Aspen Avionics dealer to disable the ADS-B In function, this AD requires disabling the ADS-B IN function using a method approved in accordance with paragraph (h) of this AD.

(2) Revise the Airplane Flight Manual Supplement in accordance with paragraph 5.2.c of SB2018-01.

Note 1 to paragraph (g)(2) of this AD: The AFM for the aircraft affected by this AD is required to be furnished with the aircraft, per 14 CFR 23.1581. Further, operators of the aircraft affected by this AD must operate in accordance with the limitations specified in the AFM, per 14 CFR 91.9.

(h) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Fort Worth ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (i) of this AD.

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(i) Related Information

For more information about this AD, contact Kristi Bradley, Aerospace Engineer, COS Section, Fort Worth ACO Branch, FAA, 10101 Hillwood Pkwy., Fort Worth, TX 76177; telephone 817-222-5140; email kristin.bradley@faa.gov.

(j) 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 the AD specifies otherwise.

(i) Aspen Avionics Mandatory Service Bulletin No. SB2018-01, dated November 21, 2018 (the date is printed only on the first page).

(ii) [Reserved]

(3) For service information identified in this AD, contact Aspen Avionics, Inc., 5001 Indian School Rd. NE, Suite 100, Albuquerque, NM 87110; telephone 888-992-7736; email fieldserviceengineers@aspenavionics.com; or at <https://aspenavionics.com/>.

(4) You may view this service information at FAA, Office of the Regional Counsel, Southwest Region, 10101 Hillwood Pkwy, Room 6N-321, Fort Worth, TX 76177. For information on the availability of this material at the FAA, call 817-222-5110.

(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 January 16, 2019.

Melvin J. Johnson,

Deputy Director, Policy and Innovation Division, AIR-601, Aircraft Certification Service.

[FR Doc. 2019-00104 Filed 1-22-19; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF LABOR**Employment and Training Administration****20 CFR Part 655****Office of Workers' Compensation Programs****20 CFR Parts 702, 725, 726****Office of the Secretary****29 CFR Part 5****41 CFR Part 50–201****Wage and Hour Division****29 CFR Parts 500, 501, 503, 530, 570, 578, 579, 801, 825****Occupational Safety and Health Administration****29 CFR Parts 1902, 1903****Employee Benefits Security Administration****29 CFR Part 2560, 2575, 2590****Mine Safety and Health Administration****30 CFR Part 100****RIN 1290–AA33****Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2019**

AGENCY: Employment and Training Administration, Office of Workers' Compensation Programs, Office of the Secretary, Wage and Hour Division, Occupational Safety and Health Administration, Employee Benefits Security Administration, and Mine Safety and Health Administration, Department of Labor.

ACTION: Final rule.

SUMMARY: The U.S. Department of Labor (Department) is publishing this final rule to adjust for inflation the civil monetary penalties assessed or enforced by the Department, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Inflation Adjustment Act). The Inflation Adjustment Act requires the Department to annually adjust its civil money penalty levels for inflation no later than January 15 of each year. The Inflation Adjustment Act provides that agencies shall adjust civil monetary

penalties notwithstanding Section 553 of the Administrative Procedure Act (APA). Additionally, the Inflation Adjustment Act provides a cost-of-living formula for adjustment of the civil penalties. Accordingly, this final rule sets forth the Department's 2019 annual adjustments for inflation to its civil monetary penalties.

DATES: This final rule is effective on January 23, 2019. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after the effective date of this rule.

FOR FURTHER INFORMATION CONTACT: Erin FitzGerald, Senior Policy Advisor, U.S. Department of Labor, Room S–2312, 200 Constitution Avenue NW, Washington, DC 20210; telephone: (202) 693–5076 (this is not a toll-free number). Copies of this final rule may be obtained in alternative formats (large print, Braille, audio tape or disc), upon request, by calling (202) 693–5959 (this is not a toll-free number). TTY/TDD callers may dial toll-free 1–877–889–5627 to obtain information or request materials in alternative formats.

SUPPLEMENTARY INFORMATION:**Preamble Table of Contents**

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I. Background

On November 2, 2015, Congress enacted the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Public Law 114–74, 701 (Inflation Adjustment Act), which

further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 as previously amended by the 1996 Debt Collection Improvement Act (collectively, the “Prior Inflation Adjustment Act”), to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. The Inflation Adjustment Act required agencies to: (1) Adjust the level of civil monetary penalties with an initial “catch-up” adjustment through an interim final rule (IFR); and (2) make subsequent annual adjustments for inflation no later than January 15 of each year.

On July 1, 2016, the Department published an IFR that established the initial catch-up adjustment for most civil penalties that the Department administers and requested comments. *See* 81 FR 43430 (DOL IFR). On January 18, 2017, the Department published the final rule establishing the 2017 Annual Adjustment for those civil monetary penalties adjusted in the DOL IFR. *See* 82 FR 5373 (DOL 2017 Annual Adjustment). On July 1, 2016, the U.S. Department of Homeland Security (DHS) and the U.S. Department of Labor (DOL) (collectively, “the Departments”) jointly published an IFR that established the initial catch-up adjustment for civil monetary penalties assessed or enforced in connection with the employment of temporary nonimmigrant workers under the H–2B program. *See* 81 FR 42983 (Joint IFR). On March 17, 2017, the Departments jointly published the final rule establishing the 2017 Annual Adjustment for the H–2B civil monetary penalties. *See* 82 FR 14147 (Joint 2017 Annual Adjustment). The Joint 2017 Annual Adjustment also explained that DOL would make future adjustments to the H–2B civil monetary penalties consistent with DOL's delegated authority under 8 U.S.C. 1184(c)(14), Immigration and Nationality Act section 214(c)(14), and the Inflation Adjustment Act. *See* 82 FR 14147–48. On January 2, 2018, the Department published the final rule establishing the 2018 Annual Adjustment for civil monetary penalties assessed or enforced by the Department, including H–2B civil monetary penalties. *See* 83 FR 7 (DOL 2018 Annual Adjustment).

This rule implements the 2019 annual inflation adjustments, as required by the Inflation Adjustment Act, for civil monetary penalties assessed or enforced by the Department, including H–2B civil monetary penalties.¹ The Inflation

¹ The Department is also responsible for administering and enforcing a newly-enacted civil monetary penalty under the Fair Labor Standards

Adjustment Act provides that the increased penalty levels apply to any penalties assessed after the effective date of the increase. Pursuant to the Inflation Adjustment Act, this final rule is published notwithstanding Section 553 of the APA.

II. Adjustment for 2019

The Department has undertaken a thorough review of civil penalties administered by its various components pursuant to the Inflation Adjustment Act and in accordance with guidance issued by the Office of Management and Budget.² The Department first identified the most recent penalty amount, which is the amount established by the 2018

annual adjustment as set forth in the DOL 2018 Annual Adjustment published on January 2, 2018.

The Department is required to calculate the annual adjustment based on the Consumer Price Index for all Urban Consumers (CPI-U). Annual inflation adjustments are based on the percent change between the October CPI-U preceding the date of the adjustment, and the prior year's October CPI-U; in this case, the percent change between the October 2018 CPI-U and the October 2017 CPI-U. The cost-of-living adjustment multiplier for 2019, based on the Consumer Price Index (CPI-U) for the month of October 2018, not seasonally adjusted, is 1.02522.³ In

order to compute the 2019 annual adjustment, the Department multiplied the most recent penalty amount for each applicable penalty by the multiplier, 1.02522, and rounded to the nearest dollar.

As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after the effective date of this rule.⁴ Accordingly, for penalties assessed after January 23, 2019, whose associated violations occurred after November 2, 2015, the higher penalty amounts outlined in this rule will apply. The tables below demonstrate the penalty amounts that apply:

CIVIL MONETARY PENALTIES FOR THE H-2B TEMPORARY NON-AGRICULTURAL WORKER PROGRAM

Violations occurring	Penalty assessed	Which penalty level applies
On or before November 2, 2015	On or before August 1, 2016	Pre-August 1, 2016 levels.
On or before November 2, 2015	After August 1, 2016	Pre-August 1, 2016 levels.
After November 2, 2015	After August 1, 2016, but on or before March 17, 2017	August 1, 2016 levels.
After November 2, 2015	After March 17, 2017 but on or before January 2, 2018.	March 17, 2017 levels.
After November 2, 2015	After January 2, 2018 but on or before January 23, 2019.	January 2, 2018 levels.
After November 2, 2015	After January 23, 2019	January 23, 2019 levels.

CIVIL MONETARY PENALTIES FOR OTHER DOL PROGRAMS

Violations occurring	Penalty assessed	Which penalty level applies
On or before November 2, 2015	On or before August 1, 2016	Pre-August 1, 2016 levels.
On or before November 2, 2015	After August 1, 2016	Pre-August 1, 2016 levels.
After November 2, 2015	After August 1, 2016, but on or before January 13, 2017.	August 1, 2016 levels.
After November 2, 2015	After January 13, 2017 but on or before January 2, 2018.	January 13, 2017 levels.
After November 2, 2015	After January 2, 2018 but on or before January 23, 2019.	January 2, 2018 levels.
After November 2, 2015	After January 23, 2019	January 23, 2019 levels.

III. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) requires that the Department consider the impact of paperwork and other information collection burdens imposed on the public. The Department has determined that this final rule does not require any collection of information.

IV. Administrative Procedure Act

The Inflation Adjustment Act provides that agencies shall annually adjust civil monetary penalties for inflation notwithstanding Section 553 of the APA. Additionally, the Inflation Adjustment Act provides a

nondiscretionary cost-of-living formula for annual adjustment of the civil monetary penalties. For these reasons, the requirements in sections 553(b), (c), and (d) of the APA, relating to notice and comment and requiring that a rule be effective 30 days after publication in the **Federal Register**, are inapplicable.

V. Executive Order 12866: Regulatory Planning and Review, Executive Order 13563: Improving Regulation and Regulatory Review, and Executive Order 13771: Reducing Regulation and Controlling Regulatory Costs

Executive Order 12866 requires that regulatory agencies assess both the costs

and benefits of significant regulatory actions. Under the Executive Order, a “significant regulatory action” is one meeting any of a number of specified conditions, including the following: Having an annual effect on the economy of \$100 million or more; creating a serious inconsistency or interfering with an action of another agency; materially altering the budgetary impact of entitlements or the rights of entitlement recipients, or raising novel legal or policy issues.

The Department has determined that this final rule is not a “significant” regulatory action and a cost-benefit and economic analysis is not required. This

Act (*see* Pub. L. 115–141, sec. 1201 (2018)), but the Inflation Adjustment Act does not require the Department to adjust this new penalty in 2019 because Congress enacted the penalty within the preceding 12 months. *See* 28 U.S.C. 2462 Note, sec. 4(d); OMB Circular M–16–06.

² M–19–04, Implementation of Penalty Inflation Adjustments for 2019, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 14, 2018).

³ OMB provided the year-over-year multiplier, rounded to 5 decimal points. *Id.* at 1.

⁴ Appendix 1 consists of a table that provides ready access to key information about each penalty.

regulation merely adjusts civil monetary penalties in accordance with inflation as required by the Inflation Adjustment Act, and has no impact on disclosure or compliance costs. The benefit provided by the inflationary adjustment to the maximum civil monetary penalties is that of maintaining the incentive for the regulated community to comply with the laws enforced by the Department, and not allowing the incentive to be diminished by inflation. This rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

Executive Order 13563 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility to minimize burden.

The Inflation Adjustment Act directed the Department to issue the annual adjustments without regard to Section 553 of the APA. In that context, Congress has already determined that any possible increase in costs is justified by the overall benefits of such adjustments. This final rule makes only the statutory changes outlined herein; thus there are no alternatives or further analysis required by Executive Order 13563.

VI. Regulatory Flexibility Act and Small Business Regulatory Enforcement Fairness Act

The Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* (RFA), imposes certain requirements on Federal agency rules that are subject to the notice and comment requirements of the APA, 5 U.S.C. 553(b). This final rule is exempt from the requirements of the APA because the Inflation Adjustment Act directed the Department to issue the annual adjustments without regard to Section 553 of the APA. Therefore, the requirements of the RFA applicable to notices of proposed rulemaking, 5 U.S.C. 603, do not apply to this rule. Accordingly, the Department is not required to either certify that the final rule would not have a significant economic impact on a substantial number of small entities or conduct a regulatory flexibility analysis.

VII. Other Regulatory Considerations

A. The Unfunded Mandates Reform Act of 1995

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531–1538, requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. This Final Rule will not result in such an expenditure. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

B. Executive Order 13132: Federalism

Section 18 of the OSH Act (29 U.S.C. 667) requires OSHA-approved State Plans to have standards and an enforcement program that are at least as effective as federal OSHA's standards and enforcement program. OSHA-approved State Plans must have maximum and minimum penalty levels that are at least as effective as federal OSHA's per Section 18(c)(2) of the OSH Act. *See also* 29 CFR 1902.4(c)(2)(xi); 1902.37(b)(12). State Plans are required to increase their penalties in alignment with OSHA's penalty increases to maintain at least as effective penalty levels.

State Plans are not required to impose monetary penalties on state and local government employers. *See* § 1956.11(c)(2)(x). Five (5) states and one territory have State Plans that cover only state and local government employees: Connecticut, Illinois, Maine, New Jersey, New York, and the Virgin Islands. Therefore, the requirements to increase the penalty levels do not apply to these State Plans. Twenty-one (21) states and one U.S. territory have State Plans that cover both private sector employees and state and local government employees: Alaska, Arizona, California, Hawaii, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Puerto Rico, South Carolina, Tennessee, Utah, Vermont, Virginia, Washington, and Wyoming. They must increase their penalties for private-sector employers.

Other than as listed above, this final rule does not have federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Accordingly,

Executive Order 13132, Federalism, requires no further agency action or analysis.

C. Executive Order 13175: Indian Tribal Governments

This final rule does not have “tribal implications” because it does not have substantial direct effects on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal government and Indian tribes. Accordingly, Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, requires no further agency action or analysis.

D. The Treasury and General Government Appropriations Act of 1999: Assessment of Federal Regulations and Policies on Families

This final rule will have no effect on family well-being or stability, marital commitment, parental rights or authority, or income or poverty of families and children. Accordingly, section 654 of the Treasury and General Government Appropriations Act of 1999 (5 U.S.C. 601 note) requires no further agency action, analysis, or assessment.

E. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks

This final rule will have no adverse impact on children. Accordingly, Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks, as amended by Executive Orders 13229 and 13296, requires no further agency action or analysis.

F. Environmental Impact Assessment

A review of this final rule in accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.*; the regulations of the Council on Environmental Quality, 40 CFR part 1500 *et seq.*; and the Departmental NEPA procedures, 29 CFR part 11, indicates that the final rule will not have a significant impact on the quality of the human environment. As a result, there is no corresponding environmental assessment or an environmental impact statement.

G. Executive Order 13211: Energy Supply

This final rule has been reviewed for its impact on the supply, distribution, and use of energy because it applies, in part, to the coal mining and uranium industries. MSHA has concluded that the adjustment of civil monetary

penalties to keep pace with inflation and thus maintain the incentive for operators to maintain safe and healthful workplaces is not a significant energy action because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

This final rule has not been identified to have other impacts on energy supply. Accordingly, Executive Order 13211 requires no further Agency action or analysis.

H. Executive Order 12630: Constitutionally Protected Property Rights

This final rule will not implement a policy with takings implications. Accordingly, Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights, requires no further agency action or analysis.

I. Executive Order 12988: Civil Justice Reform Analysis

This final rule was drafted and reviewed in accordance with Executive Order 12988, Civil Justice Reform. This final rule was written to provide a clear legal standard for affected conduct and was carefully reviewed to eliminate drafting errors and ambiguities, so as to minimize litigation and undue burden on the Federal court system. The Department has determined that this final rule meets the applicable standards provided in section 3 of Executive Order 12988.

List of Subjects

20 CFR Part 655

Immigration, Labor, Penalties.

20 CFR Part 702

Administrative practice and procedure, Longshore and harbor workers, Penalties, Reporting and recordkeeping requirements, Workers' compensation.

20 CFR Part 725

Administrative practice and procedure, Black lung benefits, Coal miners, Penalties, Reporting and recordkeeping requirements.

20 CFR Part 726

Administrative practice and procedure, Black lung benefits, Coal miners, Mines, Penalties.

29 CFR Part 5

Administrative practice and procedure, Construction industry, Employee benefit plans, Government contracts, Law enforcement, Minimum wages, Penalties, Reporting and recordkeeping requirements.

29 CFR Part 500

Administrative practice and procedure, Aliens, Housing, Insurance, Intergovernmental relations, Investigations, Migrant labor, Motor vehicle safety, Occupational safety and health, Penalties, Reporting and recordkeeping requirements, Wages, Whistleblowing.

29 CFR Part 501

Administrative practice and procedure, Agriculture, Aliens, Employment, Housing, Housing standards, Immigration, Labor, Migrant labor, Penalties, Transportation, Wages.

29 CFR Part 503

Administrative practice and procedure, Aliens, Employment, Housing, Immigration, Labor, Penalties, Transportation, Wages.

29 CFR Part 530

Administrative practice and procedure, Clothing, Homeworkers, Indians—arts and crafts, Penalties, Reporting and recordkeeping requirements, Surety bonds, Watches and jewelry.

29 CFR Part 570

Child labor, Law enforcement, Penalties.

29 CFR Part 578

Penalties, Wages.

29 CFR Part 579

Child labor, Penalties.

29 CFR Part 801

Administrative practice and procedure, Employment, Lie detector tests, Penalties, Reporting and recordkeeping requirements.

29 CFR Part 825

Administrative practice and procedure, Airmen, Employee benefit plans, Health, Health insurance, Labor management relations, Maternal and child health, Penalties, Reporting and recordkeeping requirements, Teachers.

29 CFR Parts 1902 and 1903

Intergovernmental relations, Law enforcement, Occupational Safety and Health, Penalties.

29 CFR Part 2560

Employee benefit plans, Employee Retirement Income Security Act, Law enforcement, Penalties, Pensions, Reporting and recordkeeping.

29 CFR Part 2575

Administrative practice and procedure, Employee benefit plans,

Employee Retirement Income Security Act, Health care, Penalties, Pensions.

29 CFR Part 2590

Employee benefit plans, Employee Retirement Income Security Act, Health care, Health insurance, Penalties, Pensions, Reporting and recordkeeping.

30 CFR Part 100

Mine safety and health, Penalties.

41 CFR Part 50–201

Child labor, Government procurement, Minimum wages, Occupational safety and health, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, 20 CFR chapters V and VI, 29 CFR subtitle A and chapters V, XVII, and XXV, 30 CFR chapter I, and 41 CFR subtitle B are amended as follows.

DEPARTMENT OF LABOR

Employment and Training Administration

Title 20—Employees' Benefits

PART 655—TEMPORARY EMPLOYMENT OF FOREIGN WORKERS IN THE UNITED STATES

■ 1. The authority citation for part 655 continues to read as follows:

Authority: Section 655.0 issued under 8 U.S.C. 1101(a)(15)(E)(iii), 1101(a)(15)(H)(i) and (ii), 8 U.S.C. 1103(a)(6), 1182(m), (n) and (t), 1184(c), (g), and (j), 1188, and 1288(c) and (d); sec. 3(c)(1), Pub. L. 101–238, 103 Stat. 2099, 2102 (8 U.S.C. 1182 note); sec. 221(a), Pub. L. 101–649, 104 Stat. 4978, 5027 (8 U.S.C. 1184 note); sec. 303(a)(8), Pub. L. 102–232, 105 Stat. 1733, 1748 (8 U.S.C. 1101 note); sec. 323(c), Pub. L. 103–206, 107 Stat. 2428; sec. 412(e), Pub. L. 105–277, 112 Stat. 2681 (8 U.S.C. 1182 note); sec. 2(d), Pub. L. 106–95, 113 Stat. 1312, 1316 (8 U.S.C. 1182 note); 29 U.S.C. 49k; Pub. L. 107–296, 116 Stat. 2135, as amended; Pub. L. 109–423, 120 Stat. 2900; 8 CFR 214.2(h)(4)(i); and 8 CFR 214.2(h)(6)(iii).

Subpart A issued under 8 CFR 214.2(h).

Subpart B issued under 8 U.S.C.

1101(a)(15)(H)(ii)(a), 1184(c), and 1188; and 8 CFR 214.2(h).

Subparts F and G issued under 8 U.S.C. 1288(c) and (d); sec. 323(c), Pub. L. 103–206, 107 Stat. 2428; and 28 U.S.C. 2461 note, Pub. L. 114–74 at section 701.

Subparts H and I issued under 8 U.S.C. 1101(a)(15)(H)(i)(b) and (b)(1), 1182(n) and (t), and 1184(g) and (j); sec. 303(a)(8), Pub. L. 102–232, 105 Stat. 1733, 1748 (8 U.S.C. 1101 note); sec. 412(e), Pub. L. 105–277, 112 Stat. 2681; 8 CFR 214.2(h); and 28 U.S.C. 2461 note, Pub. L. 114–74 at section 701.

Subparts L and M issued under 8 U.S.C. 1101(a)(15)(H)(i)(c) and 1182(m); sec. 2(d), Pub. L. 106–95, 113 Stat. 1312, 1316 (8 U.S.C. 1182 note); Pub. L. 109–423, 120 Stat. 2900; and 8 CFR 214.2(h).

§§ 655.620, 655.801, and 655.810 [Amended]

■ 2. In the following table, for each paragraph indicated in the left column, remove the dollar amount indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount indicated in the right column.

Paragraph	Remove	Add
§ 655.620(a)	\$9,239	\$9,472
§ 655.801(b)	7,520	7,710
§ 655.810(b)(1) introductory text	1,848	1,895
§ 655.810(b)(2) introductory text	7,520	7,710

Paragraph	Remove	Add
§ 655.810(b)(3) introductory text	52,641	53,969

**DEPARTMENT OF LABOR
Office of Workers' Compensation Programs**

PART 702—ADMINISTRATION AND PROCEDURE

■ 3. The authority citation for part 702 is revised to read as follows:

Authority: 5 U.S.C. 301, and 8171 *et seq.*; 33 U.S.C. 901 *et seq.*; 42 U.S.C. 1651 *et seq.*; 43 U.S.C. 1333; 28 U.S.C. 2461 note (Federal

Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701; Reorganization Plan No. 6 of 1950, 15 FR 3174, 64 Stat. 1263; Secretary's Order 10–2009, 74 FR 58834.

§§ 702.204, 702.236, and 702.271 [Amended]

■ 4. In the following table, for each paragraph indicated in the left column, remove the dollar amount or date indicated in the middle column from wherever it appears in the section or paragraph and add in its place the dollar amount or date indicated in the right column.

Section/paragraph	Remove	Add
§ 702.204	\$23,426	\$24,017.
§ 702.204	January 2, 2018	January 23, 2019.
§ 702.236	\$285	\$292.
§ 702.236	January 2, 2018	January 23, 2019.
§ 702.271(a)(2)	January 2, 2018	January 23, 2019.
§ 702.271(a)(2)	\$2,343	\$2,402.
§ 702.271(a)(2)	\$11,712	\$12,007.

PART 725—CLAIMS FOR BENEFITS UNDER PART C OF TITLE IV OF THE FEDERAL MINE SAFETY AND HEALTH ACT, AS AMENDED

■ 5. The authority citation for part 725 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701; Reorganization Plan No. 6 of 1950, 15 FR 3174; 30 U.S.C. 901 *et seq.*, 902(f), 921, 932, 936; 30 U.S.C. 901 *et seq.*; 42 U.S.C. 405; Secretary's Order 10–2009, 74 FR 58834.

§ 725.621 [Amended]

■ 6. In § 725.621, amend paragraph (d) by removing “January 2, 2018” and adding in its place “January 23, 2019” and by removing “\$1,426” and adding in its place “\$1,462”.

PART 726—BLACK LUNG BENEFITS; REQUIREMENTS FOR COAL MINE OPERATOR'S INSURANCE

■ 7. The authority citation for part 726 continues to read as follows:

Authority: 5 U.S.C. 301; 30 U.S.C. 901 *et seq.*, 902(f), 925, 932, 933, 934, 936; 33 U.S.C.

901 *et seq.*; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701; Reorganization Plan No. 6 of 1950, 15 FR 3174; Secretary's Order 10–2009, 74 FR 58834.

§ 726.302 [Amended]

■ 8. In the following table, for each paragraph indicated in the left column, remove the dollar amount or date indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount or date indicated in the right column.

Paragraph	Remove	Add
§ 726.302(c)(2)(i) introductory text	January 2, 2018	January 23, 2019.
§ 726.302(c)(2)(i) table	\$139	\$143.
§ 726.302(c)(2)(i) table	278	285.
§ 726.302(c)(2)(i) table	417	428.
§ 726.302(c)(2)(i) table	555	569.
§ 726.302(c)(4)	January 2, 2018	January 23, 2019.
§ 726.302(c)(4)	\$139	\$143.
§ 726.302(c)(5)	January 2, 2018	January 23, 2019.
§ 726.302(c)(5)	\$417	\$428.
§ 726.302(c)(6)	January 2, 2018	January 23, 2019.
§ 726.302(c)(6)	\$2,852	\$2,924.

DEPARTMENT OF LABOR

Wage and Hour Division

Title 29—Labor

PART 5—LABOR STANDARDS PROVISIONS APPLICABLE TO CONTRACTS COVERING FEDERALLY FINANCED AND ASSISTED CONSTRUCTION (ALSO LABOR STANDARDS PROVISIONS APPLICABLE TO NONCONSTRUCTION CONTRACTS SUBJECT TO THE CONTRACT WORK HOURS AND SAFETY STANDARDS ACT)

■ 9. The authority citation for part 5 continues to read as follows:

Authority: 5 U.S.C. 301; R.S. 161, 64 Stat. 1267; Reorganization Plan No. 14 of 1950, 5 U.S.C. appendix; 40 U.S.C. 3141 et seq.; 40 U.S.C. 3145; 40 U.S.C. 3148; 40 U.S.C. 3701 et seq.; and the laws listed in 5.1(a) of this part; Secretary's Order No. 01–2014 (Dec. 19, 2014), 79 FR 77527 (Dec. 24, 2014); 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at § 701, 129 Stat 584.

§ 5.5 [Amended]

■ 10. In § 5.5, amend paragraph (b)(2) by removing “\$26” and adding in its place “\$27”.

§ 5.8 [Amended]

■ 11. In § 5.8, amend paragraph (a) by removing “\$26” and adding in its place “\$27”.

PART 500—MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION

■ 12. The authority citation for part 500 continues to read as follows:

Authority: Pub. L. 97–470, 96 Stat. 2583 (29 U.S.C. 1801–1872); Secretary's Order No. 01–2014 (Dec. 19, 2014), 79 FR 77527 (Dec. 24, 2014); 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); and Pub. L. 114–74, 129 Stat 584.

§ 500.1 [Amended]

■ 13. In § 500.1, amend paragraph (e) by removing “\$2,443” and adding in its place “\$2,505”.

PART 501—ENFORCEMENT OF CONTRACTUAL OBLIGATIONS FOR TEMPORARY ALIEN AGRICULTURAL WORKERS ADMITTED UNDER SECTION 218 OF THE IMMIGRATION AND NATIONALITY ACT

■ 14. The authority citation for part 501 continues to read as follows:

Authority: 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c), and 1188; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); and Pub. L. 114–74 at § 701.

§ 501.19 [Amended]

■ 15. In the following table, for each paragraph indicated in the left column, remove the dollar amount indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount indicated in the right column.

Table with 3 columns: Paragraph, Remove, Add. Rows include § 501.19(c) introductory text, § 501.19(c)(1), § 501.19(c)(2), § 501.19(c)(4), § 501.19(d), § 501.19(e), and § 501.19(f).

PART 503—ENFORCEMENT OF OBLIGATIONS FOR TEMPORARY NONIMMIGRANT NON-AGRICULTURAL WORKERS DESCRIBED IN THE IMMIGRATION AND NATIONALITY ACT—[AMENDED]

■ 16. The authority citation for part 503 continues to read as follows:

Authority: 52 Stat. 1060–1069, as amended; 29 U.S.C. 201–219; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at § 701.

Authority: 8 U.S.C. 1101(a)(15)(H)(ii)(b); 8 U.S.C. 1184; 8 CFR 214.2(h); 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at § 701.

§ 503.23 [Amended]

■ 17. In the following table, for each paragraph indicated in the left column, remove the dollar amount indicated in the middle column from wherever it appears in the paragraph, and add in its place the dollar amount indicated in the right column:

Table with 3 columns: Paragraph, Remove, Add. Rows include § 503.23(b), § 503.23(c), and § 503.23(d).

PART 530—EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES

■ 18. The authority citation for part 530 continues to read as follows:

Authority: Sec. 11, 52 Stat. 1066 (29 U.S.C. 211) as amended by sec. 9, 63 Stat. 910 (29 U.S.C. 211(d)); Secretary's Order No. 01–2014 (Dec. 19, 2014), 79 FR 77527 (Dec. 24, 2014); 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701, 129 Stat 584.

■ 19. In § 530.302, amend paragraph (a) by removing “\$1,026” and adding in its place “\$1,052” and revise paragraph (b).

The revision reads as follows:

§ 530.302 Amounts of civil penalties.

* * * * *

(b) The amount of civil money penalties shall be determined per affected homemaker within the limits set forth in the following schedule, except that no penalty shall be assessed in the case of violations which are deemed to be de minimis in nature:

Table with 4 columns: Nature of violation, Minor, Substantial, Repeated, intentional or knowing. Rows include Recordkeeping, Monetary violations, Employment of homeworkers without a certificate, and Other violations of statutes, regulations or employer assurances.

PART 570—CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION

■ 20. The authority citation for Subpart G of part 570 continues to read as follows:

§ 570.140 [Amended]

■ 21. In § 570.140, amend paragraph (b)(1) by removing “\$12,529” and adding in its place “\$12,845” and paragraph (b)(2) by removing “\$56,947” and adding in its place “\$58,383”.

PART 578—MINIMUM WAGE AND OVERTIME VIOLATIONS—CIVIL MONEY PENALTIES

■ 22. The authority citation for part 578 continues to read as follows:

Authority: Sec. 9, Pub. L. 101–157, 103 Stat. 938, sec. 3103, Pub. L. 101–508, 104 Stat. 1388–29 (29 U.S.C. 216(e)), Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note), as amended by Pub. L. 104–134, section 31001(s), 110 Stat. 1321–358, 1321–373, and Pub. L. 114–74, 129 Stat 584.

§ 578.3 [Amended]

■ 23. In § 578.3, amend paragraph (a) by removing “\$1,964” and adding in its place “\$2,014”.

PART 579—CHILD LABOR VIOLATIONS—CIVIL MONEY PENALTIES

■ 24. The authority citation for part 579 continues to read as follows:

Authority: 29 U.S.C. 203(l), 211, 212, 213(c), 216; Reorg. Plan No. 6 of 1950, 64 Stat. 1263, 5 U.S.C. App; secs. 25, 29, 88 Stat. 72, 76; Secretary of Labor’s Order No. 01–2014 (Dec. 19, 2014), 79 FR 77527 (Dec. 24, 2014); 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); and Pub. L. 114–7, 129 Stat 584.

§ 579.1 [Amended]

■ 25. In the following table, for each paragraph indicated in the left column,

remove the dollar amount indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount indicated in the right column.

Paragraph	Remove	Add
§ 579.1(a)(1)(i)(A)	\$12,529	\$12,845
§ 579.1(a)(1)(i)(B)	56,947	58,383
§ 579.1(a)(2)	1,964	2,014

PART 801—APPLICATION OF THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988

■ 26. The authority citation for part 801 continues to read as follows:

Authority: Pub. L. 100–347, 102 Stat. 646, 29 U.S.C. 2001–2009; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701, 129 Stat 584.

§ 801.42 [Amended]

■ 27. In § 801.42 amend paragraph (a) introductory text by removing “\$20,521” and adding in its place “\$21,039”.

PART 825—THE FAMILY AND MEDICAL LEAVE ACT OF 1993

■ 28. The authority citation for part 825 continues to read as follows:

Authority: 29 U.S.C. 2654; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation

Adjustment Act of 1990); and Pub. L. 114–74 at sec. 701.

§ 825.300 [Amended]

■ 29. In § 825.300 amend paragraph (a)(1) by removing “\$169” and adding in its place “\$173”.

DEPARTMENT OF LABOR Occupational Safety and Health Administration

Title 29—Labor

PART 1903—INSPECTIONS, CITATIONS, AND PROPOSED PENALTIES

■ 30. The authority citation for part 1903 continues to read as follows:

Authority: Secs. 8 and 9 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657, 658); 5 U.S.C. 553; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990), as amended by Section 701, Pub. L. 114–74; Secretary of Labor’s Order No. 1–2012 (77 FR 3912, Jan. 25, 2012).

§ 1903.15 [Amended]

■ 31. In the following table, for each paragraph indicated in the left column, remove the dollar amount or date indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount or date indicated in the right column.

Paragraph	Remove	Add
§ 1903.15(d) introductory text	January 2, 2018	January 23, 2019.
§ 1903.15(d)(1)	\$9,239	\$9,472.
§ 1903.15(d)(1)	\$129,336	\$132,598.
§ 1903.15(d)(2)	\$129,336	\$132,598.
§ 1903.15(d)(3)	\$12,934	\$13,260.
§ 1903.15(d)(4)	\$12,934	\$13,260.
§ 1903.15(d)(5)	\$12,934	\$13,260.
§ 1903.15(d)(6)	\$12,934	\$13,260.

DEPARTMENT OF LABOR Mine Safety and Health Administration Title 30—Mineral Resources

PART 100—CRITERIA AND PROCEDURES FOR PROPOSED ASSESSMENT OF CIVIL PENALTIES

■ 32. The authority citation for part 100 continues to read as follows:

Authority: 5 U.S.C. 301; 30 U.S.C. 815, 820, 957; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at sec. 701.

■ 33. In § 100.3, amend paragraph (a)(1) introductory text by removing “\$70,834” and adding in its place “\$72,620” and in paragraph (g) by revising Table XIV–Penalty Conversion Table.

The revision reads as follows:

§ 100.3 Determination of penalty amount; regular assessment.

* * * * *
(g) * * *

TABLE XIV—PENALTY CONVERSION TABLE

Points	Penalty (\$)
60 or fewer	\$135
61	147
62	158
63	172
64	187
65	202
66	218
67	238
68	256
69	278
70	301
71	326
72	355
73	383
74	414
75	450
76	489
77	527
78	572
79	620
80	672
81	727
82	787
83	854
84	925
85	1003
86	1,086
87	1,175
88	1,274
89	1,380
90	1,495
91	1,619
92	1,753
93	1,899
94	2,058
95	2,229
96	2,414
97	2,615
98	2,834
99	3,070
100	3,326

TABLE XIV—PENALTY CONVERSION TABLE—Continued

Points	Penalty (\$)
101	3,602
102	3,902
103	4,227
104	4,579
105	4,961
106	5,374
107	5,822
108	6,307
109	6,832
110	7,401
111	8,016
112	8,686
113	9,409
114	10,193
115	11,041
116	11,960
117	12,957
118	14,036
119	15,206
120	16,471
121	17,844
122	19,329
123	20,940
124	22,685
125	24,571
126	26,619
127	28,837
128	31,238
129	33,840
130	36,659
131	39,712
132	43,019
133	46,601
134	50,319
135	54,035
136	57,754
137	61,469
138	65,187
139	68,903
140 or more	72,620

* * * * *
§§ 100.4 and 100.5 [Amended]

■ 34. In the following table, for each paragraph indicated in the left column, remove the dollar amount indicated in the middle column from wherever it appears in the paragraph and add in its place the dollar amount indicated in the right column.

Paragraph	Remove	Add
§ 100.4(a)	\$2,361	\$2,421
§ 100.4(b)	4,721	4,840
§ 100.4(c) introductory text	5,903	6,052
§ 100.4(c) introductory text	70,834	72,620
§ 100.5(c)	7,673	7,867
§ 100.5(d)	324	332
§ 100.5(e)	259,725	266,275

Title 41—Public Contracts and Property Management

PART 50–201—GENERAL REGULATIONS

■ 35. The authority citation for part 50–201 continues to read as follows:

Authority: Sec. 4, 49 Stat. 2038; 41 U.S.C. 38. Interpret or apply sec. 6, 49 Stat. 2038, as amended; 41 U.S.C. 40; 108 Stat. 7201; 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990); Pub. L. 114–74 at § 701, 129 Stat 584.

§ 50–201.3 [Amended]

■ 36. In § 50–201.3, amend paragraph (e) by removing “\$26” and adding in its place “\$27”.

Note: The following Appendix will not appear in the Code of Federal Regulations.

Agency	Law	Name/description	CFR citation	2018		2019	
				Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)	Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)
MSHA	Federal Mine Safety & Health Act of 1977.	Regular Assessment	30 CFR 100.3(a)		\$70,834		\$72,620.
MSHA	Federal Mine Safety & Health Act of 1977.	Penalty Conversion Table	30 CFR 100.3(g)	\$132	\$70,834	\$135	\$72,620.
MSHA	Federal Mine Safety & Health Act of 1977.	Minimum Penalty for any order issued under 104(d)(1) of the Mine Act.	30 CFR 100.4(a)	2,361		2,421	
MSHA	Federal Mine Safety & Health Act of 1977.	Minimum penalty for any order issued under 104(d)(2) of the Mine Act.	30 CFR 100.4(b)	4,721		4,840	
MSHA	Federal Mine Safety & Health Act of 1977.	Penalty for failure to provide timely notification under 103(j) of the Mine Act.	39 CFR 100.4(c)	5,903	\$70,834	6,052	\$72,620.
MSHA	Federal Mine Safety & Health Act of 1977.	Any operator who fails to correct a violation for which a citation or order was issued under 104(a) of the Mine Act.	30 CFR 100.5(c)		\$7,673		\$7,867.
MSHA	Federal Mine Safety & Health Act of 1977.	Violation of mandatory safety standards related to smoking standards.	30 CFR 100.5(d)		\$324		\$332.
MSHA	Federal Mine Safety & Health Act of 1977.	Flagrant violations under 110(b)(2) of the Mine Act.	30 CFR 100.5(e)		\$259,725		\$266,275.

Agency	Law	Name/description	CFR citation	2018		2019	
				Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)	Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)
EBSA ..	Employee Retirement Income Security Act.	Section 209(b): Failure to furnish reports (e.g., pension benefit statements) to certain former participants and beneficiaries or maintain records.	29 CFR 2575.1-3 .....	.....	\$29 .....	.....	\$30.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(2)—Per day for failure/refusal to properly file plan annual report.	29 CFR 2575.1-3 .....	.....	\$2,140 .....	.....	\$2,194.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(4)—Per day for failure to disclose certain documents upon request under ERISA 101(k) and (l); failure to furnish notices under 101(j) and 514(e)(3)—each statutory recipient a separate violation.	29 CFR 2575.1-3 .....	.....	\$1,693 .....	.....	\$1,736.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(5)—Per day for each failure to file annual report for Multiple Employer Welfare Arrangements (MEWAs) under 101(g).	29 CFR 2575.1-3 .....	.....	\$1,558 .....	.....	\$1,597.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(6)—Per day for each failure to provide Secretary of Labor requested documentation not to exceed a per-request maximum.	29 CFR 2575.1-3 .....	.....	\$152 per day, not to exceed \$1,527 per request.	.....	\$156 per day, not to exceed \$1,566 per request.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(7)—Per day for each failure to provide notices of blackout periods and of right to divest employer securities—each statutory recipient a separate violation.	29 CFR 2575.1-3 .....	.....	\$136 .....	.....	\$139.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(8)—Per each failure by an endangered status multiemployer plan to adopt a funding improvement plan or meet benchmarks; failure of a critical status multiemployer plan to adopt a rehabilitation plan.	29 CFR 2575.1-3 .....	.....	\$1,344 .....	.....	\$1,378.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(9)(A)—Per day for each failure by an employer to inform employees of CHIP coverage opportunities under Section 701(f)(3)(B)(i)(I)—each employee a separate violation.	29 CFR 2575.1-3 .....	.....	\$114 .....	.....	\$117.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(9)(B)—Per day for each failure by a plan to timely provide to any State information required to be disclosed under Section 701(f)(3)(B)(ii), as added by CHIP regarding coverage coordination—each participant/beneficiary a separate violation.	29 CFR 2575.1-3 .....	.....	\$114 .....	.....	\$117.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(10)—Failure by any plan sponsor of group health plan, or any health insurance issuer offering health insurance coverage in connection with the plan, to meet the requirements of Sections 702(a)(1)(F), (b)(3), (c) or (d); or Section 701; or Section 702(b)(1) with respect to genetic information—daily per participant and beneficiary non-compliance period.	29 CFR 2575.1-3 .....	.....	\$114 .....	.....	\$117.

Agency	Law	Name/description	CFR citation	2018		2019	
				Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)	Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected de minimis violation.	29 CFR 2575.1-3	2,847 .....	.....	2,919	\$0.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected violations that are not de minimis.	29 CFR 2575.1-3	17,084 .....	.....	17,515	\$0.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(10)—unintentional failure maximum cap.	29 CFR 2575.1-3 .....	.....	\$569,468 .....	.....	\$583,830.
EBSA ..	Employee Retirement Income Security Act.	Section 502(c)(12)—Per day for each failure of a CSEC plan in restoration status to adopt a restoration plan.	29CFR 2575.1-3 .....	.....	\$104 .....	.....	\$107.
EBSA ..	Employee Retirement Income Security Act.	Section 502(m)—Failure of fiduciary to make a proper distribution from a defined benefit plan under section 206(e) of ERISA.	29 CFR 2575.1-3 .....	.....	\$16,499 .....	.....	\$16,915.
EBSA ..	Employee Retirement Income Security Act.	Failure to provide Summary of Benefits Coverage under PHS Act section 2715(f), as incorporated in ERISA section 715 and 29 CFR 2590.715-2715(e).	29 CFR 2575.1-3 .....	.....	\$1,128 .....	.....	\$1,156.
OSHA	Occupational Safety and Health Act.	Serious Violation	29 CFR 1903.15(d)(3) ...	.....	\$12,934 .....	.....	\$13,260.
OSHA	Occupational Safety and Health Act.	Other-Than-Serious	29 CFR 1903.15(d)(4) ...	.....	\$12,934 .....	.....	\$13,260.
OSHA	Occupational Safety and Health Act.	Willful	29 CFR 1903.15(d)(1) ...	9,239	\$129,336	9,472	\$132,598.
OSHA	Occupational Safety and Health Act.	Repeated	29 CFR 1903.15(d)(2) ...	.....	\$129,336 .....	.....	\$132,598.
OSHA	Occupational Safety and Health Act.	Posting Requirement	29 CFR 1903.15(d)(6) ...	.....	\$12,934 .....	.....	\$13,260.
OSHA	Occupational Safety and Health Act.	Failure to Abate	29 CFR 1903.15(d)(5) ...	.....	\$12,934 .....	.....	\$13,260.
WHD ...	Family and Medical Leave Act.	FMLA	29 CFR 825.300(a)(1) ...	.....	\$169 .....	.....	\$173.
WHD ...	Fair Labor Standards Act	FLSA	29 CFR 578.3(a) .....	.....	\$1,964 .....	.....	\$2,014.
WHD ...	Fair Labor Standards Act	Child Labor	29 CFR 579.1(a)(2) .....	.....	\$1,964 .....	.....	\$2,014.
WHD ...	Fair Labor Standards Act	Child Labor	29 CFR 570.140(b)(1) ...	.....	\$12,529 .....	.....	\$12,845.
WHD ...	Fair Labor Standards Act	Child Labor	29 CFR 579.1(a)(1)(i)(A) .....	.....	\$12,529 .....	.....	\$12,845.
WHD ...	Fair Labor Standards Act	Child Labor that causes serious injury or death.	29 CFR 570.140(b)(2) ...	.....	\$56,947 .....	.....	\$58,383.
WHD ...	Fair Labor Standards Act	Child Labor that causes serious injury or death.	29 CFR 579.1(a)(1)(i)(B) .....	.....	\$56,947 .....	.....	\$58,383.
WHD ...	Fair Labor Standards Act	Child Labor willful or repeated that causes serious injury or death.	29 CFR 570.140(b)(2); 29 CFR 579.1(a)(1)(i)(B).	.....	\$113,894 .....	.....	\$116,766.
WHD ...	Migrant and Seasonal Agricultural Worker Protection Act.	MSPA	29 CFR 500.1(e) .....	.....	\$2,443 .....	.....	\$2,505.
WHD ...	Immigration & Nationality Act.	H1B	20 CFR 655.810(b)(1) ...	.....	\$1,848 .....	.....	\$1,895.
WHD ...	Immigration & Nationality Act.	H1B retaliation	20 CFR 655.801(b) .....	.....	\$7,520 .....	.....	\$7,710.
WHD ...	Immigration & Nationality Act.	H1B willful or discrimination ...	20 CFR 655.810(b)(2) ...	.....	\$7,520 .....	.....	\$7,710.
WHD ...	Immigration & Nationality Act.	H1B willful that resulted in displacement of a US worker.	20 CFR 655.810(b)(3) ...	.....	\$52,641 .....	.....	\$53,969.
WHD ...	Immigration & Nationality Act.	D-1	20 CFR 655.620(a) .....	.....	\$9,239 .....	.....	\$9,472.
WHD ...	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.5(b)(2) .....	.....	\$26 .....	.....	\$27.
WHD ...	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.8(a) .....	.....	\$26 .....	.....	\$27.
WHD ...	Walsh-Healey Public Contracts Act.	Walsh-Healey	41 CFR 50-201.3(e) .....	.....	\$26 .....	.....	\$27.
WHD ...	Employee Polygraph Protection Act.	EPPA	29 CFR 801.42(a) .....	.....	\$20,521 .....	.....	\$21,039.
WHD ...	Immigration & Nationality Act.	H2A	29 CFR 501.19(c) .....	.....	\$1,692 .....	.....	\$1,735.
WHD ...	Immigration & Nationality Act.	H2A willful or discrimination ...	29 CFR 501.19(c)(1) .....	.....	\$5,695 .....	.....	\$5,839.
WHD ...	Immigration & Nationality Act.	H2A Safety or health resulting in serious injury or death.	29 CFR 501.19(c)(2) .....	.....	\$56,391 .....	.....	\$57,813.

Agency	Law	Name/description	CFR citation	2018		2019	
				Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)	Min. penalty (rounded to nearest dollar)	Max. penalty (rounded to nearest dollar)
WHD ...	Immigration & Nationality Act.	H2A willful or repeated safety or health resulting in serious injury or death.	29 CFR 501.19(c)(4) .....	.....	\$112,780 .....	.....	\$115,624.
WHD ...	Immigration & Nationality Act.	H2A failing to cooperate in an investigation.	29 CFR 501.19(d) .....	.....	\$5,695 .....	.....	\$5,839.
WHD ...	Immigration & Nationality Act.	H2A displacing a US worker ..	29 CFR 501.19(e) .....	.....	\$16,917 .....	.....	\$17,344.
WHD ...	Immigration & Nationality Act.	H2A improperly rejecting a US worker.	29 CFR 501.19(f) .....	.....	\$16,917 .....	.....	\$17,344.
WHD ...	Immigration & Nationality Act.	H-2B	29 CFR 503.23(b)-(d) ...	.....	\$12,383 .....	.....	\$12,695.
WHD ...	Fair Labor Standards Act	Home Worker	29 CFR 530.302(a) .....	.....	\$1,026 .....	.....	\$1,052.00.
WHD ...	Fair Labor Standards Act	Home Worker	29 CFR 530.302(b)	20	\$1,026	21	\$1,052.00.
OWCP	Longshore and Harbor Workers' Compensation Act.	Failure to file first report of injury or filing a false statement or misrepresentation in first report.	20 CFR 702.204 .....	.....	\$23,426 .....	.....	\$24,017.
OWCP	Longshore and Harbor Workers' Compensation Act.	Failure to report termination of payments.	20 CFR 702.236 .....	.....	\$285 .....	.....	\$292.
OWCP	Longshore and Harbor Workers' Compensation Act.	Discrimination against employees who claim compensation or testify in a LHWCA proceeding.	20 CFR 702.271(a)(2) ...	2,343	\$11,712	2,402	\$12,007.
OWCP	Black Lung Benefits Act	Failure to report termination of payments.	20 CFR 725.621(d) .....	.....	\$1,426 .....	.....	\$1,462.
OWCP	Black Lung Benefits Act	Failure to file required reports	20 CFR 725.621(d) .....	.....	\$1,426 .....	.....	\$1,462.
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with fewer than 25 employees.	20 CFR 726.302(c)(2)(i)	139	.....	143	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with 25-50 employees.	20 CFR 726.302(c)(2)(i)	278	.....	285	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with 51-100 employees.	20 CFR 726.302(c)(2)(i)	417	.....	428	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for mines with more than 100 employees.	20 CFR 726.302(c)(2)(i)	555	.....	569	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits after 10th day of notice.	20 CFR 726.302(c)(4) ...	139	.....	143	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits for repeat offenders.	20 CFR 726.302(c)(5) ...	417	.....	428	.....
OWCP	Black Lung Benefits Act	Failure to secure payment of benefits.	20 CFR 726.302(c)(5) ...	.....	\$2,852 .....	.....	\$2,924

Signed at Washington, DC, this 10th day of January, 2019.

R. Alexander Acosta,
Secretary, U.S. Department of Labor.

[FR Doc. 2019-00089 Filed 1-22-19; 8:45 am]

BILLING CODE 4510-HL-P

Notices

Federal Register

Vol. 84, No. 15

Wednesday, January 23, 2019

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

Dated: January 17, 2019.

Natasha M. Copeland,*Program Analyst, Office of Federal Advisory Committee Policy.*

[FR Doc. 2019-00087 Filed 1-22-19; 8:45 am]

BILLING CODE 4140-01-P

Authority No. 236-24 of January 8, 2019.

Jennifer Z. Galt,*Principal Deputy Assistant Secretary, Educational and Cultural Affairs, Department of State.*

[FR Doc. 2019-00084 Filed 1-22-19; 8:45 am]

BILLING CODE 4710-05-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel; Health IT to Combat Opioid Misuse (1225).

Date: January 31, 2019.

Time: 8:00 a.m. to 5:30 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852 (Telephone Conference Call).

Contact Person: Julia Berzhanskaya, Ph.D., Scientific Review Officer, Office of Extramural Policy and Review, Division of Extramural Research, National Institute on Drug Abuse, NIH, DHHS, 6001 Executive Boulevard, Room 4234, MSC 9550, Bethesda, MD 20892, 301-827-5840, julia.berzhanskaya@nih.gov.

This meeting notice is being published less than 15 days in advance of the meeting due to the partial Government shutdown of December 2018.

(Catalogue of Federal Domestic Assistance Program No.: 93.279, Drug Abuse and Addiction Research Programs, National Institutes of Health, HHS)

DEPARTMENT OF STATE

[Public Notice: 10657]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: “Moroni: The Riches of Renaissance Portraiture” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition “Moroni: The Riches of Renaissance Portraiture,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Frick Collection, New York, New York, from on or about February 21, 2019, until on or about June 2, 2019, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT:

Elliot Chiu, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000, and Delegation of

DEPARTMENT OF STATE

[Public Notice: 10658]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: “Queens of Egypt” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that the objects to be exhibited in the exhibition “Queens of Egypt,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the National Geographic Society, Washington, District of Columbia, from on or about March 1, 2019, until on or about September 2, 2019, the Nelson-Atkins Museum of Art, Kansas City, Missouri, from on or about November 15, 2019, until on or about March 29, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202-632-6471; email: section2459@state.gov). The mailing address is U.S. Department of State, L/PD, SA-5, Suite 5H03, Washington, DC 20522-0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236-3 of August 28, 2000, and Delegation of

Authority No. 236–24 of January 8, 2019.

Jennifer Z. Galt,

*Principal Deputy Assistant Secretary,
Educational and Cultural Affairs, Department
of State.*

[FR Doc. 2019–00085 Filed 1–22–19; 8:45 am]

BILLING CODE 4710–05–P

DEPARTMENT OF STATE

[Public Notice: 10659]

Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: “The World Between Empires: Art and Identity in the Ancient Middle East” Exhibition

SUMMARY: Notice is hereby given of the following determinations: I hereby determine that the objects to be

exhibited in the exhibition “The World Between Empires: Art and Identity in the Ancient Middle East,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at The Metropolitan Museum of Art, New York, New York, from on or about March 11, 2019, until on or about June 23, 2019, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Julie Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: section2459@state.gov). The mailing

address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

SUPPLEMENTARY INFORMATION: The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 236–24 of January 8, 2019.

Jennifer Z. Galt,

*Principal Deputy Assistant Secretary,
Educational and Cultural Affairs, Department
of State.*

[FR Doc. 2019–00086 Filed 1–22–19; 8:45 am]

BILLING CODE 4710–05–P

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Federal Register

Vol. 84, No. 15

Wednesday, January 23, 2019

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