

Act of 1995, 44 U.S.C. 3506(c)(2). The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

The Interview Survey Form, INV 10 is mailed by OPM, to a random sampling of record and personal sources who were contacted during the background investigation process by investigators performing fieldwork. The INV 10 is used as a quality control instrument designed to ensure the accuracy and integrity of the investigative product. The form queries the recipient about the investigative procedure exhibited by the investigator, the investigator's professionalism, and the information discussed and reported. In addition to the preformatted response options, OPM invites the recipients to respond with any other relevant comments or suggestions. OPM proposes no changes to the INV 10.

#### Analysis

*Agency:* NBIB, U.S. Office of Personnel Management.

*Title:* Interview Survey Form, INV 10.

*OMB Number:* 3206-0106.

*Affected Public:* A random sampling of record and personal sources contacted during background investigations when investigations have performed fieldwork.

*Number of Respondents:* 67,391.

*Estimated Time Per Respondent:* 6 minutes.

*Total Burden Hours:* 6,739.

U.S. Office of Personnel Management.

**Alexys Stanley,**

*Regulatory Affairs Analyst.*

[FR Doc. 2019-00547 Filed 1-31-19; 8:45 am]

**BILLING CODE 6325-53-P**

## POSTAL REGULATORY COMMISSION

[Docket No. ACR2018; Order No. 4988]

### Annual Compliance Report, 2018

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** In light of the lapse of appropriations resulting in suspension of Commission operations and to allow time for public comment, the Commission is extending the comment deadlines in this docket by two weeks.

**DATES:** *Comments are due:* February 14, 2019. *Reply Comments are due:* February 25, 2019.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

#### FOR FURTHER INFORMATION CONTACT:

David A. Trissell, General Counsel, at 202-789-6820.

**SUPPLEMENTARY INFORMATION:** On December 31, 2018, the Commission established Docket No. ACR2018 to consider matters raised by the United States Postal Service's FY 2018 Annual Compliance Report (ACR).<sup>1</sup> Shortly thereafter, on close of business January 11, 2019, the Commission suspended operations due to a lapse in appropriations. As a result of this lapse in appropriations, the Commission's electronic filing system was shut down and participants in this docket could not file documents. During this time period until the Commission resumed operations on January 28, 2019, the Commission was unable to continue its review of the Postal Service's ACR submission.

In light of the lapse of appropriations resulting in suspension of Commission operations and to allow time for public comment, the Commission is extending the comment deadlines in this docket by two weeks.<sup>2</sup> The Commission hereby

<sup>1</sup> Notice of Postal Service's Filing of Annual Compliance Report and Request for Public Comments, December 31, 2018 (Order No. 4960); United States Postal Service FY 2018 Annual Compliance Report, December 28, 2018 (FY 2018 ACR).

<sup>2</sup> On January 28, 2019, the day the Commission resumed operations, United Parcel Service, Inc. (UPS) filed a motion requesting a three-week extension of the deadlines for filing comments and reply comments in this docket. Motion of United Parcel Service, Inc. to Extend Filing Deadlines, January 28, 2019 (Motion). To the extent this order extends the deadline for filing comments and reply comments by two weeks, the Motion is moot. With

extends the deadline for filing comments from January 31, 2019, to February 14, 2019. The deadline for filing reply comments is extended from February 11, 2019, to February 25, 2019.

The Commission may also toll the timeframe for its Annual Compliance Determination (ACD) by a period of up to two weeks if needed to complete its review of the FY 2018 ACR, comments, and other data and information submitted in this proceeding.

*It is ordered:*

1. Comments on the United States Postal Service's FY 2018 Annual Compliance Report to the Commission are due on or before February 14, 2019.

2. Reply comments are due on or before February 25, 2019.

3. The Secretary shall arrange for publication of this order in the **Federal Register**.

By the Commission.

**Stacy L. Ruble,**

*Secretary.*

[FR Doc. 2019-00743 Filed 1-31-19; 8:45 am]

**BILLING CODE 7710-FW-P**

## RAILROAD RETIREMENT BOARD

### Civil Monetary Penalty Inflation Adjustment

**AGENCY:** Railroad Retirement Board.

**ACTION:** Notice announcing updated penalty inflation adjustments for civil monetary penalties for 2019.

**SUMMARY:** As required by Section 701 of the Bipartisan Budget Act of 2015, entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the Railroad Retirement Board (Board) hereby publishes its 2019 annual adjustment of civil penalties for inflation.

**FOR FURTHER INFORMATION CONTACT:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611-2092, (312) 751-4945, TTD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Section 701 of the Bipartisan Budget Act of 2015, Public Law 114-74 (Nov. 2, 2015), entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act), amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461

respect to the additional week requested by UPS, the Motion is denied. The Commission finds insufficient support for an extension beyond the time the Commission suspended operations. A two-week extension will place all parties back to the status quo as if the suspension of operations did not occur.

note) (Inflation Adjustment Act) to require agencies to publish regulations adjusting the amount of civil monetary penalties provided by law within the jurisdiction of the agency not later than July 1, 2016, and annual adjustments thereafter.

For the 2019 annual adjustment for inflation of the maximum civil penalty under the Program Fraud Civil Remedies Act of 1986, the Board applies the formula provided by the 2015 Act and the Board's regulations at Title 20, Code of Federal Regulations, Part 356. In accordance with the 2015 Act, the amount of the adjustment is based on the percent increase between the Consumer Price Index (CPI-U) for the month of October preceding the date of the adjustment and the CPI-U for the October one year prior to the October immediately preceding the date of the adjustment. If there is no increase, there is no adjustment of civil penalties. The percent increase between the CPI-U for October 2018 and October 2017, as provided by Office of Management and Budget Memorandum M-19-04 (December 14, 2018) is 1.02522 percent. Therefore, the new maximum penalty under the Program Fraud Civil Remedies Act is \$11,463 (the 2018 maximum penalty of \$11,181 multiplied by 1.02522, rounded to the nearest dollar). The new minimum penalty under the False Claims Act is \$11,463 (the 2018 minimum penalty of \$11,181 multiplied by 1.02522, rounded to the nearest dollar), and the new maximum penalty is \$22,927 (the 2018 maximum penalty of \$22,363 multiplied by 1.02522, rounded to the nearest dollar). The adjustments in penalties will be effective February 1, 2019.

By Authority of the Board.

**Sylvia Zaragoza,**

*Acting Secretary to the Board.*

[FR Doc. 2019-00729 Filed 1-31-19; 8:45 am]

**BILLING CODE 7905-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-84997; File No. 4-678]

### Program for Allocation of Regulatory Responsibilities Pursuant to Rule 17d-2; Notice of Filing of Proposed Amended Plan for the Allocation of Regulatory Responsibilities Among the Financial Industry Regulatory Authority, Inc., Miami International Securities Exchange, LLC, MIAX PEARL, LLC, and MIAX EMERALD, LLC.

January 29, 2019.

Pursuant to Section 17(d) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 17d-2 thereunder,<sup>2</sup> notice is hereby given that on December 20, 2018, Miami International Securities Exchange, LLC ("MIAX"), MIAX PEARL, LLC ("MIAX PEARL"), MIAX EMERALD, LLC ("MIAX EMERALD") and the Financial Industry Regulatory Authority, Inc. ("FINRA") (together, the "Parties") filed with the Securities and Exchange Commission ("Commission" or "SEC") an amended plan for the allocation of regulatory responsibilities, dated December 19, 2018 ("17d-2 Plan" or the "Plan"). The Commission is publishing this notice to solicit comments on the 17d-2 Plan from interested persons.

#### I. Introduction

Section 19(g)(1) of the Act,<sup>3</sup> among other things, requires every self-regulatory organization ("SRO") registered as either a national securities exchange or national securities association to examine for, and enforce compliance by, its members and persons associated with its members with the Act, the rules and regulations thereunder, and the SRO's own rules, unless the SRO is relieved of this responsibility pursuant to Section 17(d) or Section 19(g)(2) of the Act.<sup>4</sup> Without this relief, the statutory obligation of each individual SRO could result in a pattern of multiple examinations of broker-dealers that maintain memberships in more than one SRO ("common members"). Such regulatory duplication would add unnecessary expenses for common members and their SROs.

Section 17(d)(1) of the Act<sup>5</sup> was intended, in part, to eliminate unnecessary multiple examinations and

regulatory duplication.<sup>6</sup> With respect to a common member, Section 17(d)(1) authorizes the Commission, by rule or order, to relieve an SRO of the responsibility to receive regulatory reports, to examine for and enforce compliance with applicable statutes, rules, and regulations, or to perform other specified regulatory functions.

To implement Section 17(d)(1), the Commission adopted two rules: Rule 17d-1 and Rule 17d-2 under the Act.<sup>7</sup> Rule 17d-1 authorizes the Commission to name a single SRO as the designated examining authority ("DEA") to examine common members for compliance with the financial responsibility requirements imposed by the Act, or by Commission or SRO rules.<sup>8</sup> When an SRO has been named as a common member's DEA, all other SROs to which the common member belongs are relieved of the responsibility to examine the firm for compliance with the applicable financial responsibility rules. On its face, Rule 17d-1 deals only with an SRO's obligations to enforce member compliance with financial responsibility requirements. Rule 17d-1 does not relieve an SRO from its obligation to examine a common member for compliance with its own rules and provisions of the federal securities laws governing matters other than financial responsibility, including sales practices and trading activities and practices.

To address regulatory duplication in these and other areas, the Commission adopted Rule 17d-2 under the Act.<sup>9</sup> Rule 17d-2 permits SROs to propose joint plans for the allocation of regulatory responsibilities with respect to their common members. Under paragraph (c) of Rule 17d-2, the Commission may declare such a plan effective if, after providing for appropriate notice and comment, it determines that the plan is necessary or appropriate in the public interest and for the protection of investors; to foster cooperation and coordination among the SROs; to remove impediments to, and foster the development of, a national market system and a national clearance and settlement system; and is in conformity with the factors set forth in Section 17(d) of the Act. Commission

<sup>6</sup> See Securities Act Amendments of 1975, Report of the Senate Committee on Banking, Housing, and Urban Affairs to Accompany S. 249, S. Rep. No. 94-75, 94th Cong., 1st Session 32 (1975).

<sup>7</sup> 17 CFR 240.17d-1 and 17 CFR 240.17d-2, respectively.

<sup>8</sup> See Securities Exchange Act Release No. 12352 (April 20, 1976), 41 FR 18808 (May 7, 1976).

<sup>9</sup> See Securities Exchange Act Release No. 12935 (October 28, 1976), 41 FR 49091 (November 8, 1976).

<sup>1</sup> 15 U.S.C. 78q(d).

<sup>2</sup> 17 CFR 240.17d-2.

<sup>3</sup> 15 U.S.C. 78s(g)(1).

<sup>4</sup> 15 U.S.C. 78q(d) and 15 U.S.C. 78s(g)(2), respectively.

<sup>5</sup> 15 U.S.C. 78q(d)(1).