

§ 5.7

in § 5.3(c) and the State licensing agency fail to reach agreement concerning the granting, revocation, or modification of a permit, the location, method of operation, assignment of proceeds, or other terms of a permit (including articles which may be sold), the State licensing agency shall be notified in writing by the Commerce official concerned that it has the right to appeal such disagreements, within 30 days of the notice, to the Assistant Secretary for Administration for investigation and final decision.

(b) Upon receipt of a timely appeal the Assistant Secretary for Administration will cause a full investigation to be made. The State licensing agency shall be given an opportunity to present information pertinent to the facts and circumstances of the case. The complete investigation report including the recommendations of the investigating officer shall be submitted to the Assistant Secretary for Administration within 60 days from the date of the appeal.

(c) The Assistant Secretary for Administration will render a final decision on the appeal within 90 days of the date of appeal.

(d) The State licensing agency will be informed of the final decision on its appeal. Copies of the decision will be forwarded to the Department of Commerce official concerned and the Department of Education.

[28 FR 7772, July 31, 1963, as amended at 55 FR 53489, Dec. 31, 1990]

§ 5.7 Reports.

No later than fifteen days following the end of each fiscal year the responsible officials set forth in § 5.3(c) shall forward to the Director, Office of Administrative Services a report on activities under this order. The report shall include:

(a) The number of applications, including requests for installations initiated by the Department, for vending stands received from State licensing agencies;

(b) The number of such requests accepted or approved;

(c) The number denied, on which no appeal was made and the number denied on which an appeal was made; and

15 CFR Subtitle A (1-1-25 Edition)

(d) The number and status of any requests still pending.

§ 5.8 Approval of regulations.

The provisions of this part have been approved by the Director, Bureau of the Budget, pursuant to Executive Order 10604, of April 22, 1955.

PART 6—CIVIL MONETARY PENALTY ADJUSTMENTS FOR INFLATION (EFF. until 1-15-25)

Sec.

6.1 Definitions.

6.2 Purpose and scope.

6.3 Adjustments for inflation to civil monetary penalties.

6.4 Effective date of adjustments for inflation to civil monetary penalties.

6.5 Subsequent annual adjustments for inflation to civil monetary penalties.

AUTHORITY: Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104-134, 110 Stat. 1321 (31 U.S.C. 3701 note); Sec. 701 of Pub. L. 114-74, 129 Stat. 599 (28 U.S.C. 1 note; 28 U.S.C. 2461 note).

SOURCE: 88 FR 89301, Dec. 27, 2023, unless otherwise noted.

EFFECTIVE DATE NOTE: At 89 FR 106310, Dec. 30, 2024, part 6 was revised, effective Jan. 15, 2025. For the convenience of the user, the new part 6 follows the text of this part.

§ 6.1 Definitions.

(a) The *Department of Commerce* means the United States Department of Commerce.

(b) *Civil Monetary Penalty* means any penalty, fine, or other sanction that:

(1) Is for a specific monetary amount as provided by Federal law, or has a maximum amount provided for by Federal law; and

(2) Is assessed or enforced by an agency pursuant to Federal law; and

(3) Is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts.

§ 6.2 Purpose and scope.

The purpose of this part is to make adjustments for inflation to civil monetary penalties, as required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101-410; 28 U.S.C. 2461), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) and the Federal Civil

Penalties Inflation Adjustment Act Improvements Act of 2015 (Section 701 of Pub. L. 114-74), of each civil monetary penalty provided by law within the jurisdiction of the United States Department of Commerce (Department of Commerce).

§ 6.3 Adjustments for inflation to civil monetary penalties.

The civil monetary penalties provided by law within the jurisdiction of the Department of Commerce, as set forth in paragraphs (a) through (f) of this section, are hereby adjusted for inflation in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended, from the amounts of such civil monetary penalties that were in effect as of January 15, 2023, to the amounts of such civil monetary penalties, as thus adjusted. The year stated in parenthesis represents the year that the civil monetary penalty was last set by law or adjusted by law (excluding adjustments for inflation).

(a) *United States Department of Commerce.* (1) 31 U.S.C. 3802(a)(1), Program Fraud Civil Remedies Act of 1986 (1986), violation, maximum from \$13,508 to \$13,946.

(2) 31 U.S.C. 3802(a)(2), Program Fraud Civil Remedies Act of 1986 (1986), violation, maximum from \$13,508 to \$13,946.

(3) 31 U.S.C. 3729(a)(1)(G), False Claims Act (1986); violation, minimum from \$13,508 to \$13,946; maximum from \$27,018 to \$27,894.

(b) *Bureau of Economic Analysis.* 22 U.S.C. 3105(a), International Investment and Trade in Services Act (1990); failure to furnish information, minimum from \$5,580 to \$5,761; maximum from \$55,808 to \$57,617.

(c) *Bureau of Industry and Security.* (1) 15 U.S.C. 5408(b)(1), Fastener Quality Act (1990), violation, maximum from \$55,808 to \$57,617.

(2) 22 U.S.C. 6761(a)(1)(A), Chemical Weapons Convention Implementation Act (1998), violation, maximum from \$45,429 to \$46,901.

(3) 22 U.S.C. 6761(a)(1)(B), Chemical Weapons Convention Implementation Act (1998), violation, maximum from \$9,086 to \$9,380.

(4) 50 U.S.C. 1705(b), International Emergency Economic Powers Act (2007), violation, maximum from \$356,579 to \$368,136.

(5) 22 U.S.C. 8142(a), United States Additional Protocol Implementation Act (2006), violation, maximum from \$36,919 to \$38,116.

(6) 50 U.S.C. 4819, Export Controls Act of 2018 (2018), violation, maximum from \$353,534 to \$364,992

(d) *Census Bureau.* (1) 13 U.S.C. 304, Collection of Foreign Trade Statistics (2002), each day's delinquency of a violation; total of not to exceed maximum per violation, from \$1,643 to \$1,696; maximum per violation, from \$16,438 to \$16,971.

(2) 13 U.S.C. 305(b), Collection of Foreign Trade Statistics (2002), violation, maximum from \$16,438 to \$16,971.

(e) *International Trade Administration.* (1) 19 U.S.C. 81s, Foreign Trade Zone (1934), violation, maximum from \$3,446 to \$3,558.

(2) 19 U.S.C. 1677f(f)(4), U.S.-Canada Free Trade Agreement Protective Order (1988), violation, maximum from \$247,929 to \$255,964.

(f) *National Oceanic and Atmospheric Administration.* (1) 51 U.S.C. 60123(a), Land Remote Sensing Policy Act of 2010 (2010), violation, maximum from \$13,625 to \$14,067.

(2) 51 U.S.C. 60148(c), Land Remote Sensing Policy Act of 2010 (2010), violation, maximum from \$13,625 to \$14,067.

(3) 16 U.S.C. 773f(a), Northern Pacific Halibut Act of 1982 (2007), violation, maximum from \$285,265 to \$294,510.

(4) 16 U.S.C. 783, Sponge Act (1914), violation, maximum from \$2,037 to \$2,103.

(5) 16 U.S.C. 957(d), (e), and (f), Tuna Conventions Act of 1950 (1962):

(i) Violation of 16 U.S.C. 957(a), maximum from \$101,805 to \$105,105.

(ii) Subsequent violation of 16 U.S.C. 957(a), maximum from \$219,273 to \$226,380.

(iii) Violation of 16 U.S.C. 957(b), maximum from \$3,446 to \$3,558.

(iv) Subsequent violation of 16 U.S.C. 957(b), maximum from \$20,362 to \$21,022.

(v) Violation of 16 U.S.C. 957(c), maximum from \$438,548 to \$452,761.

§ 6.3

15 CFR Subtitle A (1–1–25 Edition)

(6) 16 U.S.C. 957(i), Tuna Conventions Act of 1950,¹ violation, maximum from \$223,229 to \$230,464.

(7) 16 U.S.C. 959, Tuna Conventions Act of 1950,² violation, maximum from \$223,229 to \$230,464.

(8) 16 U.S.C. 971f(a), Atlantic Tunas Convention Act of 1975,³ violation, maximum from \$223,229 to \$230,464.

(9) 16 U.S.C. 973f(a), South Pacific Tuna Act of 1988 (1988), violation, maximum from \$619,820 to \$639,908.

(10) 16 U.S.C. 1174(b), Fur Seal Act Amendments of 1983 (1983), violation, maximum from \$29,505 to \$30,461.

(11) 16 U.S.C. 1375(a)(1), Marine Mammal Protection Act of 1972 (1972), violation, maximum from \$34,457 to \$35,574.

(12) 16 U.S.C. 1385(e), Dolphin Protection Consumer Information Act,⁴ violation, maximum from \$223,229 to \$230,464.

(13) 16 U.S.C. 1437(d)(1), National Marine Sanctuaries Act (1992), violation, maximum from \$210,161 to \$216,972.

(14) 16 U.S.C. 1540(a)(1), Endangered Species Act of 1973:

(i) Violation as specified (1988), maximum from \$61,982 to \$63,991.

(ii) Violation as specified (1988), maximum from \$29,751 to \$30,715.

(iii) Otherwise violation (1978), maximum from \$2,037 to \$2,103.

(15) 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act (1990), violation, maximum from \$223,229 to \$230,464.

(16) 16 U.S.C. 2437(a), Antarctic Marine Living Resources Convention Act of 1984,⁵ violation, maximum from \$223,229 to \$230,464.

(17) 16 U.S.C. 2465(a), Antarctic Protection Act of 1990,⁶ violation, maximum from \$223,229 to \$230,464.

(18) 16 U.S.C. 3373(a), Lacey Act Amendments of 1981 (1981):

(i) 16 U.S.C. 3373(a)(1), violation, maximum from \$31,908 to \$32,942.

(ii) 16 U.S.C. 3373(a)(2), violation, maximum from \$797 to \$823.

(19) 16 U.S.C. 3606(b)(1), Atlantic Salmon Convention Act of 1982,⁷ violation, maximum from \$223,229 to \$230,464.

(20) 16 U.S.C. 3637(b), Pacific Salmon Treaty Act of 1985,⁸ violation, maximum from \$223,229 to \$230,464.

(21) 16 U.S.C. 4016(b)(1)(B), Fish and Seafood Promotion Act of 1986 (1986); violation, minimum from \$1,350 to \$1,394; maximum from \$13,508 to \$13,946.

(22) 16 U.S.C. 5010, North Pacific Anadromous Stocks Act of 1992,⁹ violation, maximum from \$223,229 to \$230,464.

(23) 16 U.S.C. 5103(b)(2), Atlantic Coastal Fisheries Cooperative Management Act,¹⁰ violation, maximum from \$223,229 to \$230,464.

(24) 16 U.S.C. 5154(c)(1), Atlantic Striped Bass Conservation Act,¹¹ violation, maximum from \$223,229 to \$230,464.

(25) 16 U.S.C. 5507(a), High Seas Fishing Compliance Act of 1995 (1995), violation, maximum from \$193,890 to \$200,174.

(26) 16 U.S.C. 5606(b), Northwest Atlantic Fisheries Convention Act of 1995,¹² violation, maximum from \$223,229 to \$230,464.

(27) 16 U.S.C. 6905(c), Western and Central Pacific Fisheries Convention Implementation Act,¹³ violation, maximum from \$223,229 to \$230,464.

(28) 16 U.S.C. 7009(c) and (d), Pacific Whiting Act of 2006,¹⁴ violation, maximum from \$223,229 to \$230,464.

(29) 22 U.S.C. 1978(e), Fishermen's Protective Act of 1967 (1971):

(i) Violation, maximum from \$34,457 to \$35,574.

(ii) Subsequent violation, maximum from \$101,805 to \$105,105.

¹This National Oceanic and Atmospheric Administration maximum civil monetary penalty, as prescribed by law, is the maximum civil monetary penalty per 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act civil monetary penalty (paragraph (f)(15) of this section).

²See footnote 1.

³See footnote 1.

⁴See footnote 1.

⁵See footnote 1.

⁶See footnote 1.

⁷This National Oceanic and Atmospheric Administration maximum civil monetary penalty, as prescribed by law, is the maximum civil monetary penalty per 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act civil monetary penalty (paragraph (f)(15) of this section).

⁸See footnote 7.

⁹See footnote 7.

¹⁰See footnote 7.

¹¹See footnote 7.

¹²See footnote 7.

¹³See footnote 7.

¹⁴See footnote 7.

(30) 30 U.S.C. 1462(a), Deep Seabed Hard Mineral Resources Act (1980), violation, maximum, from \$87,855 to \$90,702.

(31) 42 U.S.C. 9152(c), Ocean Thermal Energy Conversion Act of 1980 (1980), violation, maximum from \$87,855 to \$90,702.

(32) 16 U.S.C. 1827a, Billfish Conservation Act of 2012,¹⁵ violation, maximum from \$223,229 to \$230,464.

(33) 16 U.S.C. 7407(b), Port State Measures Agreement Act of 2015,¹⁶ violation, maximum from \$223,229 to \$230,464.

(34) 16 U.S.C. 1826g(f), High Seas Driftnet Fishing Moratorium Protection Act,¹⁷ violation, maximum from \$223,229 to \$230,464.

(35) 16 U.S.C. 7705, Ensuring Access to Pacific Fisheries Act,¹⁸ violation, maximum from \$223,229 to \$230,464.

(36) 16 U.S.C. 7805, Ensuring Access to Pacific Fisheries Act,¹⁹ violation, maximum from \$223,229 to \$230,464.

(37) 16 U.S.C. 1857 note, James M. Inhofe National Defense Authorization Act for Fiscal Year 2023,²⁰ (newly reported penalty), violation, maximum \$230,464.

(g) *National Technical Information Service*. 42 U.S.C. 1306c(c), Bipartisan Budget Act of 2013 (2013), violation, minimum from \$1,158 to \$1,196; maximum total penalty on any person for any calendar year, excluding willful or intentional violations, from \$289,504 to \$298,887.

(h) *Office of the Under Secretary for Economic Affairs*. 15 U.S.C. 113, Concrete Masonry Products Research, Education, and Promotion Act of 2018, violation, maximum from \$5,000 to \$5,162.

§ 6.4 Effective date of adjustments for inflation to civil monetary penalties.

The Department of Commerce's 2024 adjustments for inflation made by § 6.3, of the civil monetary penalties there specified, are effective on January 15, 2024, and said civil monetary penalties, as thus adjusted by the adjustments for

inflation made by § 6.3, apply only to those civil monetary penalties, including those whose associated violation predated such adjustment, which are assessed by the Department of Commerce after the effective date of the new civil monetary penalty level, and before the effective date of any future adjustments for inflation to civil monetary penalties thereto made subsequent to January 15, 2024 as provided in § 6.5.

§ 6.5 Subsequent annual adjustments for inflation to civil monetary penalties.

The Secretary of Commerce or his or her designee by regulation shall make subsequent adjustments for inflation to the Department of Commerce's civil monetary penalties annually, which shall take effect not later than January 15, notwithstanding section 553 of title 5, United States Code.

EFFECTIVE DATE NOTE: At 89 FR 106310, Dec. 30, 2024, part 6 was revised, effective Jan. 15, 2005. For the convenience of the user, the revised text is set forth as follows:

PART 6—CIVIL MONETARY PENALTY ADJUSTMENTS FOR INFLATION (EFF. 1-15-25)

AUTHORITY: Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104-134, 110 Stat. 1321 (31 U.S.C. 3701 note); Sec. 701 of Pub. L. 114-74, 129 Stat. 599 (28 U.S.C. 1 note; 28 U.S.C. 2461 note).

§ 6.1 Definitions.

(a) The *Department of Commerce* means the United States Department of Commerce.

(b) *Civil Monetary Penalty* means any penalty, fine, or other sanction that:

(1) Is for a specific monetary amount as provided by Federal law, or has a maximum amount provided for by Federal law; and

(2) Is assessed or enforced by an agency pursuant to Federal law; and

(3) Is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts.

§ 6.2 Purpose and scope.

The purpose of this part is to make adjustments for inflation to civil monetary penalties, as required by the Federal Civil Penalties Inflation Adjustment Act of 1990 (Pub. L. 101-410; 28 U.S.C. 2461), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) and the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Section 701 of Pub. L. 114-

¹⁵ See footnote 7.

¹⁶ See footnote 7.

¹⁷ See footnote 7.

¹⁸ See footnote 7.

¹⁹ See footnote 7.

²⁰ See footnote 7.

74), of each civil monetary penalty provided by law within the jurisdiction of the United States Department of Commerce (Department of Commerce).

§ 6.3 Adjustments for inflation to civil monetary penalties.

The civil monetary penalties provided by law within the jurisdiction of the Department of Commerce, as set forth in paragraphs (a) through (f) of this section, are hereby adjusted for inflation in accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended, from the amounts of such civil monetary penalties that were in effect as of January 15, 2024, to the amounts of such civil monetary penalties, as thus adjusted. The year stated in parenthesis represents the year that the civil monetary penalty was last set by law or adjusted by law (excluding adjustments for inflation).

(a) *United States Department of Commerce.* (1) 31 U.S.C. 3802(a)(1), Program Fraud Civil Remedies Act of 1986 (1986), violation, maximum from \$13,946 to \$14,308.

(2) 31 U.S.C. 3802(a)(2), Program Fraud Civil Remedies Act of 1986 (1986), violation, maximum from \$13,946 to \$14,308.

(3) 31 U.S.C. 3729(a)(1)(G), False Claims Act (1986); violation, minimum from \$13,946 to \$14,308; maximum from \$27,894 to \$28,619.

(b) *Bureau of Economic Analysis.* 22 U.S.C. 3105(a), International Investment and Trade in Services Act (1990); failure to furnish information, minimum from \$5,761 to \$5,911; maximum from \$57,617 to \$59,114.

(c) *Bureau of Industry and Security.* (1) 15 U.S.C. 5408(b)(1), Fastener Quality Act (1990), violation, maximum from \$57,617 to \$59,114.

(2) 22 U.S.C. 6761(a)(1)(A), Chemical Weapons Convention Implementation Act (1998), violation, maximum from \$46,901 to \$48,119.

(3) 22 U.S.C. 6761(a)(1)(B), Chemical Weapons Convention Implementation Act (1998), violation, maximum from \$9,380 to \$9,624.

(4) 50 U.S.C. 1705(b), International Emergency Economic Powers Act (2007), violation, maximum from \$368,136 to \$377,700.

(5) 22 U.S.C. 8142(a), United States Additional Protocol Implementation Act (2006), violation, maximum from \$38,116 to \$39,106.

(6) 50 U.S.C. 4819, Export Controls Act of 2018 (2018), violation, maximum from \$364,992 to \$374,474.

(d) *Census Bureau.* (1) 13 U.S.C. 304, Collection of Foreign Trade Statistics (2002), each day's delinquency of a violation; total of not to exceed maximum per violation, from \$1,696 to \$1,740; maximum per violation, from \$16,971 to \$17,412.

(2) 13 U.S.C. 305(b), Collection of Foreign Trade Statistics (2002), violation, maximum from \$16,971 to \$17,412.

(e) *International Trade Administration.* (1) 19 U.S.C. 81s, Foreign Trade Zone (1934), violation, maximum from \$3,558 to \$3,650.

(2) 19 U.S.C. 1677f(f)(4), U.S.-Canada Free Trade Agreement Protective Order (1988), violation, maximum from \$255,964 to \$262,614.

(f) *National Oceanic and Atmospheric Administration.* (1) 51 U.S.C. 60123(a), Land Remote Sensing Policy Act of 1992, as amended (2010), violation, maximum from \$14,067 to \$14,432.

(2) 51 U.S.C. 60148(c), Land Remote Sensing Policy Act of 1992, as amended (2010), violation, maximum from \$14,067 to \$14,432.

(3) 16 U.S.C. 773f(a), Northern Pacific Halibut Act of 1982 (2007), violation, maximum from \$294,510 to \$302,161.

(4) 16 U.S.C. 783, Sponge Act (1914), violation, maximum from \$2,103 to \$2,158.

(5) 16 U.S.C. 957(d), (e), and (f), Tuna Conventions Act of 1950 (1962):

(i) Violation of 16 U.S.C. 957(a), maximum from \$105,105 to \$107,836.

(ii) Subsequent violation of 16 U.S.C. 957(a), maximum from \$226,380 to \$232,261.

(iii) Violation of 16 U.S.C. 957(b), maximum from \$3,558 to \$3,650.

(iv) Subsequent violation of 16 U.S.C. 957(b), maximum from \$21,022 to \$21,568.

(v) Violation of 16 U.S.C. 957(c), maximum from \$452,761 to \$464,524.

(6) 16 U.S.C. 957(i), Tuna Conventions Act of 1950,¹ violation, maximum from \$230,464 to \$236,451.

(7) 16 U.S.C. 959, Tuna Conventions Act of 1950,² violation, maximum from \$230,464 to \$236,451.

(8) 16 U.S.C. 971f(a), Atlantic Tunas Convention Act of 1975,³ violation, maximum from \$230,464 to \$236,451.

(9) 16 U.S.C. 973f(a), South Pacific Tuna Act of 1988 (1988), violation, maximum from \$639,908 to \$656,533.

(10) 16 U.S.C. 1174(b), Fur Seal Act Amendments of 1983 (1983), violation, maximum from \$30,461 to \$31,252.

(11) 16 U.S.C. 1375(a)(1), Marine Mammal Protection Act of 1972 (1972), violation, maximum from \$35,574 to \$36,498.

(12) 16 U.S.C. 1385(e), Dolphin Protection Consumer Information Act,⁴ violation, maximum from \$230,464 to \$236,451.

(13) 16 U.S.C. 1437(d)(1), National Marine Sanctuaries Act (1992), violation, maximum from \$216,972 to \$222,609.

(14) 16 U.S.C. 1540(a)(1), Endangered Species Act of 1973:

(i) Violation as specified (1988), maximum from \$63,991 to \$65,653.

¹This National Oceanic and Atmospheric Administration maximum civil monetary penalty, as prescribed by law, is the maximum civil monetary penalty per 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act civil monetary penalty (paragraph (f)(15) of this section).

²See footnote 1.

³See footnote 1.

⁴See footnote 1.

Office of the Secretary, Commerce

Pt. 6, Nt.

(ii) Violation as specified (1988), maximum from \$30,715 to \$31,513.

(iii) Otherwise violation (1978), maximum from \$2,103 to \$2,158.

(15) 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act (1990), violation, maximum from \$230,464 to \$236,451.

(16) 16 U.S.C. 2437(a), Antarctic Marine Living Resources Convention Act of 1984,⁵ violation, maximum from \$230,464 to \$236,451.

(17) 16 U.S.C. 2465(a), Antarctic Protection Act of 1990,⁶ violation, maximum from \$230,464 to \$236,451.

(18) 16 U.S.C. 3373(a), Lacey Act Amendments of 1981 (1981):

(i) 16 U.S.C. 3373(a)(1), violation, maximum from \$32,942 to \$33,798.

(ii) 16 U.S.C. 3373(a)(2), violation, maximum from \$823 to \$844.

(19) 16 U.S.C. 3606(b)(1), Atlantic Salmon Convention Act of 1982,⁷ violation, maximum from \$230,464 to \$236,451.

(20) 16 U.S.C. 3637(b), Pacific Salmon Treaty Act of 1985,⁸ violation, maximum from \$230,464 to \$236,451.

(21) 16 U.S.C. 4016(b)(1)(B), Fish and Seafood Promotion Act of 1986 (1986); violation, minimum from \$1,394 to \$1,430; maximum from \$13,946 to \$14,308.

(22) 16 U.S.C. 5010, North Pacific Anadromous Stocks Act of 1992,⁹ violation, maximum from \$230,464 to \$236,451.

(23) 16 U.S.C. 5103(b)(2), Atlantic Coastal Fisheries Cooperative Management Act,¹⁰ violation, maximum from \$230,464 to \$236,451.

(24) 16 U.S.C. 5154(c)(1), Atlantic Striped Bass Conservation Act,¹¹ violation, maximum from \$230,464 to \$236,451.

(25) 16 U.S.C. 5507(a), High Seas Fishing Compliance Act of 1995 (1995), violation, maximum from \$200,174 to \$205,375.

(26) 16 U.S.C. 5606(b), Northwest Atlantic Fisheries Convention Act of 1995,¹² violation, maximum from \$230,464 to \$236,451.

(27) 16 U.S.C. 6905(c), Western and Central Pacific Fisheries Convention Implementation Act,¹³ violation, maximum from \$230,464 to \$236,451.

(28) 16 U.S.C. 7009(c) and (d), Pacific Whiting Act of 2006,¹⁴ violation, maximum from \$230,464 to \$236,451.

(29) 22 U.S.C. 1978(e), Fishermen's Protective Act of 1967 (1971):

(i) Violation, maximum from \$35,574 to \$36,498.

(ii) Subsequent violation, maximum from \$105,105 to \$107,836.

(30) 30 U.S.C. 1462(a), Deep Seabed Hard Mineral Resources Act (1980), violation, maximum, from \$90,702 to \$93,058.

(31) 42 U.S.C. 9152(c), Ocean Thermal Energy Conversion Act of 1980 (1980), violation, maximum from \$90,702 to \$93,058.

(32) 16 U.S.C. 1827a, Billfish Conservation Act of 2012,¹⁵ violation, maximum from \$230,464 to \$236,451.

(33) 16 U.S.C. 7407(b), Port State Measures Agreement Act of 2015,¹⁶ violation, maximum from \$230,464 to \$236,451.

(34) 16 U.S.C. 1826g(f), High Seas Driftnet Fishing Moratorium Protection Act,¹⁷ violation, maximum from \$230,464 to \$236,451.

(35) 16 U.S.C. 7705, Ensuring Access to Pacific Fisheries Act,¹⁸ violation, maximum from \$230,464 to \$236,451.

(36) 16 U.S.C. 7805, Ensuring Access to Pacific Fisheries Act,¹⁹ violation, maximum from \$230,464 to \$236,451.

(37) 16 U.S.C. 1857 note, James M. Inhofe National Defense Authorization Act for Fiscal Year 2023,²⁰ violation, maximum from \$230,464 to \$236,451.

(g) *National Technical Information Service*. 42 U.S.C. 1306c(c), Bipartisan Budget Act of 2013 (2013), violation, minimum from \$1,196 to \$1,227; maximum total penalty on any person for any calendar year, excluding willful or intentional violations, from \$298,887 to \$306,652.

(h) *Office of the Under Secretary for Economic Affairs*. 15 U.S.C. 113, Concrete Masonry Products Research, Education, and Promotion Act of 2018 (2018), violation, maximum from \$5,162 to \$5,296.

§ 6.4 Effective date of adjustments for inflation to civil monetary penalties.

The Department of Commerce's 2025 adjustments for inflation made by § 6.3, of the civil monetary penalties there specified, are effective on January 15, 2025, and said civil monetary penalties, as thus adjusted by the adjustments for inflation made by § 6.3, apply only to those civil monetary penalties, including those whose associated violation predated such adjustment, which are assessed by the Department of Commerce after the effective date of the new civil monetary penalty level, and before the effective date of any future adjustments for inflation to civil monetary penalties thereto made subsequent to January 15, 2025 as provided in § 6.5.

⁵ See footnote 1.

⁶ See footnote 1.

⁷ See footnote 1.

⁸ See footnote 1.

⁹ See footnote 1.

¹⁰ See footnote 1.

¹¹ See footnote 1.

¹² See footnote 1.

¹³ See footnote 1.

¹⁴ See footnote 1.

¹⁵ See footnote 1.

¹⁶ See footnote 1.

¹⁷ See footnote 1.

¹⁸ See footnote 1.

¹⁹ See footnote 1.

²⁰ See footnote 1.

§ 6.5 Subsequent annual adjustments for inflation to civil monetary penalties.

The Secretary of Commerce or his or her designee by regulation shall make subsequent adjustments for inflation to the Department of Commerce's civil monetary penalties annually, which shall take effect not later than January 15, notwithstanding section 553 of title 5, United States Code.

PART 7 [RESERVED]

PART 8—NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE DEPARTMENT OF COMMERCE—EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Subpart A—General Provisions; Prohibitions: Nondiscrimination Clause; Applicability to Programs

Sec.

- 8.1 Purpose.
- 8.2 Application of this part.
- 8.3 Definitions.
- 8.4 Discrimination prohibited.
- 8.5 Nondiscrimination clause.
- 8.6 Applicability of this part to Department assisted programs.

Subpart B—General Compliance

- 8.7 Cooperation, compliance reports and reviews and access to records.
- 8.8 Complaints.
- 8.9 Intimidatory or retaliatory acts prohibited.
- 8.10 Investigations.
- 8.11 Procedures for effecting compliance.
- 8.12 Hearings.
- 8.13 Decisions and notices.
- 8.14 Judicial review.
- 8.15 Effect on other laws; supplementary instructions; coordination.

APPENDIX A TO PART 8—FEDERAL FINANCIAL ASSISTANCE COVERED BY TITLE VI

AUTHORITY: Sec. 602, Civil Rights Act of 1964 (42 U.S.C. 2000d–1).

SOURCE: 38 FR 17938, July 5, 1973, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 8 appear at 68 FR 51352, Aug. 26, 2003.

Subpart A—General Provisions; Prohibitions: Nondiscrimination Clause; Applicability to Programs

§ 8.1 Purpose.

The purpose of this part is to effectuate the provisions of title VI of the Civil Rights Act of 1964 (hereafter referred to as the “Act”) to the end that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program receiving Federal financial assistance from the Department of Commerce. This part is consistent with achievement of the objectives of the statutes authorizing the financial assistance given by the Department of Commerce as provided in section 602 of the Act.

§ 8.2 Application of this part.

(a) This part applies to any program for which Federal financial assistance is authorized under a law administered by the Department, including the types of Federal financial assistance listed in appendix A to this part and as said appendix may be amended. It applies to money paid, property transferred, or other Federal financial assistance extended after January 9, 1965, pursuant to an application approved prior to such effective date.

(b) This part does not apply to (1) any Federal financial assistance by way of insurance or guaranty contracts, (2) money paid, property transferred, or other assistance extended before January 9, 1965, except where such assistance was subject to the title VI regulations of this Department or of any other agency whose responsibilities are now exercised by this Department, (3) any assistance to any individual who is the ultimate beneficiary under any such program, or (4) any employment practice, under any such program, of any employer, employment agency, or labor organization except to the extent described in § 8.4(c). The fact that a type of Federal financial assistance is not listed in appendix A shall not mean, if title VI of the Act is otherwise