

**List of Subjects in 18 CFR Part 11**

Dams, Electric power, Indians—lands, Public lands, Reporting and recordkeeping requirements.

By the Commission.

Issued: December 21, 2017.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

In consideration of the foregoing, the Federal Energy Regulatory Commission amends part 11, chapter I, title 18, *Code of Federal Regulations*, as follows:

**PART 11—ANNUAL CHARGES UNDER PART I OF THE FEDERAL POWER ACT**

■ 1. The authority citation for part 11 continues to read as follows:

**Authority:** 16 U.S.C. 792–828c; 42 U.S.C. 7101–7352.

■ 2. In § 11.2, add paragraph (c)(1)(iv) to read as follows:

**§ 11.2 Use of government lands.**

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(iv) For all geographic areas in Alaska except for the Aleutian Islands Area, the Commission will calculate a statewide per-acre value based on the average per-acre land and building values published in the NASS Census for the Kenai Peninsula Area and the Fairbanks Area. This statewide per-acre value will be reduced by the sum of the state-specific modifier and seven percent. The resulting adjusted statewide per-acre value will be applied to all projects located in Alaska, except for projects located in the Aleutian Island Area.

\* \* \* \* \*

[FR Doc. 2017–28095 Filed 12–29–17; 8:45 am]

**BILLING CODE 6717–01–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 2018**

**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 in its regulations, 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 2018 annual adjustments for inflation to its civil monetary penalties.

**DATES:** This final rule is effective on January 2, 2018. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after January 2, 2018.

**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**

- I. Background
- II. Adjustment for 2018
- III. Paperwork Reduction Act
- IV. Administrative Procedure Act
- V. Executive Order 12866: Regulatory Planning and Review, Executive Order 13563: Improving Regulation and Regulatory Review, and Executive Order 13771: Reducing Regulations and Controlling Regulatory Costs
- VI. Regulatory Flexibility Act and Small Business Regulatory Enforcement Fairness Act
- VII. Other Regulatory Considerations
  - A. The Unfunded Mandates Reform Act of 1995
  - B. Executive Order 13132: Federalism
  - C. Executive Order 13175: Indian Tribal Governments
  - D. The Treasury and General Government Appropriations Act of 1999: Assessment of Federal Regulations and Policies on Families
  - E. Executive Order 13045: Protection of Children From Environmental Health Risks and Safety Risks
  - F. Environmental Impact Assessment
  - G. Executive Order 13211: Energy Supply
  - H. Executive Order 12630: Constitutionally Protected Property Rights
  - I. Executive Order 12988: Civil Justice Reform Analysis

**I. Background**

On November 2, 2015, Congress enacted the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Public Law 114–74, sec. 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.

This rule implements the 2018 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. The Inflation 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 2018**

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.<sup>1</sup> The Department first identified the most recent penalty amount, which is the amount established by the 2017

annual adjustment as set forth in the DOL 2017 Annual Adjustment published on January 18, 2017, and the Joint 2017 Annual Adjustment published on March 17, 2017.

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 2017 CPI–U and the October 2016 CPI–U. The cost-of-living adjustment multiplier for 2018, based on the Consumer Price Index (CPI–U) for the month of October 2017, not seasonally adjusted, is 1.02041.<sup>2</sup> In order to compute the 2018 annual adjustment, the Department multiplied the most recent penalty amount for each applicable penalty by the multiplier, 1.02041, 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.<sup>3</sup> Accordingly, for penalties assessed after January 2, 2018, 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 .....	January 2, 2018 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 .....	January 2, 2018 levels.

<sup>1</sup> M–18–03, Implementation of Penalty Inflation Adjustments for 2018, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 15, 2017).

<sup>2</sup> OMB provided the year-over-year multiplier, rounded to 5 decimal points. *Id.* at 1.

<sup>3</sup> Appendix 1 consists of a table that provides ready access to key information about each penalty.

### 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 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.

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. 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 OSHA 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 OSHA Act; 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, New Jersey, New York, Maine, 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. These states 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 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, Penalties, Labor.

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, Law enforcement, Penalties, Pensions, Reporting and recordkeeping requirements.

29 CFR Part 2575

Administrative practice and procedure, Employee benefit plans, Health care, Penalties, Pensions.

29 CFR Part 2590

Employee benefit plans, Health care, Health insurance, Penalties, Pensions, Reporting and recordkeeping requirements.

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 table below, 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) .....	\$9,054	\$9,239
§ 655.801(b) .....	7,370	7,520
§ 655.810(b)(1) introductory text .....	1,811	1,848
§ 655.810(b)(2) introductory text .....	7,370	7,520
§ 655.810(b)(3) introductory text .....	51,588	52,641

Department of Labor  
 Office of Workers’ Compensation Programs

PART 702—ADMINISTRATION AND PROCEDURE

■ 3. The authority citation for part 702 continues 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 table below, 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
§ 702.204 .....	\$22,957	\$23,426.
§ 702.204 .....	January 13, 2017 ...	January 2, 2018.
§ 702.236 .....	\$279	\$285.
§ 702.236 .....	January 13, 2017 ...	January 2, 2018.
§ 702.271(a)(2) .....	January 13, 2017 ...	January 2, 2018.
§ 702.271(a)(2) .....	\$2,296	\$2,343.
§ 702.271(a)(2) .....	\$11,478	\$11,712.

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; 33 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 13, 2017” and adding in its place “January 2, 2018” and by removing “\$1,397” and adding in its place “\$1,426”.

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

■ 7. The authority citation for part 726 is revised 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]** remove the dollar amount or date and add in its place the dollar amount  
 ■ 8. In the table below, for each paragraph indicated in the left column, indicated in the middle column from wherever it appears in the paragraph or date indicated in the right column.

Paragraph	Remove	Add
§ 726.302(c)(2)(i) .....	January 13, 2017 ...	January 2, 2018.
§ 726.302(c)(2)(i) .....	\$136 .....	\$139.
§ 726.302(c)(2)(i) .....	\$272 .....	\$278.
§ 726.302(c)(2)(i) .....	\$409 .....	\$417.
§ 726.302(c)(2)(i) .....	\$544 .....	\$555.
§ 726.302(c)(4) .....	January 13, 2017 ...	January 2, 2018.
§ 726.302(c)(4) .....	\$136 .....	\$139.
§ 726.302(c)(5) .....	January 13, 2017 ...	January 2, 2018.
§ 726.302(c)(5) .....	\$409 .....	\$417.
§ 726.302(c)(6) .....	January 13, 2017 ...	January 2, 2018.
§ 726.302(c)(6) .....	\$2,795 .....	\$2,852.

**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 “\$25” and adding in its place “\$26”.  
**§ 5.8 [Amended]**  
 ■ 11. In § 5.8, amend paragraph (a) by removing “\$25” and adding in its place “\$26”.  
**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 “\$2,394” and adding in its place “\$2,443”.

**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 table below, 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
§ 501.19(c) introductory text .....	\$1,658	\$1,692
§ 501.19(c)(1) .....	5,581	5,695
§ 501.19(c)(2) .....	55,263	56,391
§ 501.19(c)(4) .....	110,524	112,780
§ 501.19(d) .....	5,581	5,695
§ 501.19(e) .....	16,579	16,917
§ 501.19(f) .....	16,579	16,917

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

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

**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 table below, 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
§ 503.23(b) .....	\$12,135	\$12,383
§ 503.23(c) .....	12,135	12,383
§ 503.23(d) .....	12,135	12,383

**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.

**§ 530.302 [Amended]**

■ 19. In § 530.302, amend paragraph (a) by removing “\$1,005” and adding in its place “\$1,026” and revise paragraph (b) to read 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:

Nature of violation	Penalty per affected homemaker		
	Minor	Substantial	Repeated, intentional or knowing
Recordkeeping .....	\$20–205	\$205–410	\$410–1,026
Monetary violations .....	20–205	205–410	410–1,026
Employment of homeworkers without a certificate .....	20–205	205–410	410–1,026
Other violations of statutes, regulations or employer assurances .....	20–205	205–410	410–1,026

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

**Subpart G [Amended]**

■ 20. The authority citation for subpart G of part 570 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.

**§ 570.140 [Amended]**

■ 21. In § 570.140, amend paragraph (b)(1) by removing “\$12,278” and adding in its place “\$12,529” and paragraph (b)(2) by removing “\$55,808” and adding in its place “\$56,947”.

**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 “\$1,925” and adding in its place “\$1,964”.

**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 table below, 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) .....	\$12,278	\$12,529
§ 579.1(a)(1)(i)(B) .....	55,808	56,947
§ 579.1(a)(2) .....	1,925	1,964

**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 “\$20,111” and adding in its place “\$20,521”.

**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 “\$166” and adding in its place “\$169”.

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 table below, 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.

Table with 3 columns: Paragraph, Remove, Add. Rows include § 1903.15(d) introductory text, § 1903.15(d)(1) through § 1903.15(d)(6) with corresponding dollar amounts and dates.

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 “\$69,417” and adding in its place “\$70,834” and in paragraph (g) by revising Table XIV-Penalty Conversion Table to read as follows:

§ 100.3 Determination of penalty amount; regular assessment.

\* \* \* \* \*
(g) \* \* \*

TABLE XIV—PENALTY CONVERSION TABLE

Table with 2 columns: Points, Penalty (\$). Rows range from 60 or fewer to 71 points.

TABLE XIV—PENALTY CONVERSION TABLE—Continued

Table with 2 columns: Points, Penalty (\$). Rows range from 72 to 112 points.

TABLE XIV—PENALTY CONVERSION TABLE—Continued

Table with 2 columns: Points, Penalty (\$). Rows range from 113 to 140 or more points.

\* \* \* \* \*

§§ 100.4 and 100.5 [Amended]

■ 34. In the table below, 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) .....	\$2,314	\$2,361
§ 100.4(b) .....	4,627	4,721
§ 100.4(c) introductory text .....	5,785	5,903
§ 100.4(c) introductory text .....	69,417	70,834
§ 100.5(c) .....	7,520	7,673
§ 100.5(d) .....	318	324
§ 100.5(e) .....	254,530	259,725

**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 “\$25” and adding in its place “\$26”.

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

Agency	Law	Name/description	CFR Citation	2017		2018	
				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) .....		\$69,417 .....		\$70,834.
MSHA .....	Federal Mine Safety & Health Act of 1977.	Penalty Conversion Table.	30 CFR 100.3(g) .....	\$129	69,417 .....	\$132	70,834.
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) .....	2,314		2,361	
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) .....	4,627		4,721	
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) .....	5,785	69,417 .....	5,903	70,834.
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) .....		7,520 .....		7,673.
MSHA .....	Federal Mine Safety & Health Act of 1977.	Violation of mandatory safety standards related to smoking standards.	30 CFR 100.5(d) .....		318 .....		324.
MSHA .....	Federal Mine Safety & Health Act of 1977.	Flagrant violations under 110(b)(2) of the Mine Act.	30 CFR 100.5(e) .....		254,530 .....		259,725.
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 2575.2(a) .....		28 .....		29.
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(2)—Per day for failure/refusal to properly file plan annual report.	29 CFR 2575.2(b) .....		2,097 .....		2,140.

Agency	Law	Name/description	CFR Citation	2017		2018	
				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)(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 2575.2(c) .....	.....	1,659 .....	.....	1,693.
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).	29 CFR 2575.2(d) .....	.....	1,527 .....	.....	1,558.
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 2575.2(e) .....	.....	\$149 per day, not to exceed \$1,496 per request.	.....	\$152 per day, not to exceed \$1,527 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 2575.2(f) .....	.....	133 .....	.....	136.
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 2575.2(g) .....	.....	1,317 .....	.....	1,344.
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 2575.2(h) .....	.....	112 .....	.....	114.
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 2575.2(i) .....	.....	112 .....	.....	114.

Agency	Law	Name/description	CFR Citation	2017		2018	
				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)—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 2575.2(j)(1)		112		114.
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected de minimis violation.	29 CFR 2575.2(j)(2)	2,790		2,847	
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected violations that are not de minimis.	29 CFR 2575.2(j)(3)	16,742		17,084	
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—unintentional failure maximum cap.	29 CFR 2575.2(j)(4)		558,078		569,468.
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.	29 CFR 2575.2(k)		102		104.
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 2575.2(l)		16,169		16,499.
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 2575.2(m)		1,105		1,128.
OSHA	Occupational Safety and Health Act.	Serious Violation	29 CFR 1903.15(d)(3).		12,675		12,934.
OSHA	Occupational Safety and Health Act.	Other-Than-Serious	29 CFR 1903.15(d)(4).		12,675		12,934.
OSHA	Occupational Safety and Health Act.	Willful	29 CFR 1903.15(d)(1).	9,054	126,749	9,239	129,336.
OSHA	Occupational Safety and Health Act.	Repeated	29 CFR 1903.15(d)(2).		126,749		129,336.
OSHA	Occupational Safety and Health Act.	Posting Requirement	29 CFR 1903.15(d)(6).		12,675		12,934.
OSHA	Occupational Safety and Health Act.	Failure to Abate	29 CFR 1903.15(d)(5).		12,675		12,934.
WHD	Family and Medical Leave Act.	FMLA	29 CFR 825.300(a)(1).		166		169.
WHD	Fair Labor Standards Act.	FLSA	29 CFR 578.3(a)		1,925		1,964.
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 579.1(a)(2)		1,925		1,964.
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 570.140(b)(1).		12,278		12,529.
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 579.1(a)(1)(i)(A).		12,278		12,529.
WHD	Fair Labor Standards Act.	Child Labor that causes serious injury or death.	29 CFR 570.140(b)(2).		55,808		56,947.

Agency	Law	Name/description	CFR Citation	2017		2018	
				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	Fair Labor Standards Act.	Child Labor that causes serious injury or death.	29 CFR 579.1(a)(1)(i)(B).	55,808	56,947.		
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).	111,616	113,894.		
WHD	Migrant and Seasonal Agricultural Worker Protection Act.	MSPA	29 CFR 500.1(e)	2,394	2,443.		
WHD	Immigration & Nationality Act.	H1B	20 CFR 655.810(b)(1).	1,811	1,848.		
WHD	Immigration & Nationality Act.	H1B retaliation	20 CFR 655.801(b)	7,370	7,520.		
WHD	Immigration & Nationality Act.	H1B willful or discrimination.	20 CFR 655.810(b)(2).	7,370	7,520.		
WHD	Immigration & Nationality Act.	H1B willful that resulted in displacement of a US worker.	20 CFR 655.810(b)(3).	51,588	52,641.		
WHD	Immigration & Nationality Act.	D-1	20 CFR 655.620(a)	9,054	9,239.		
WHD	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.5(b)(2)	25	26.		
WHD	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.8(a)	25	26.		
WHD	Walsh-Healey Public Contracts Act.	Walsh-Healey	41 CFR 50-201.3(e)	25	26.		
WHD	Employee Polygraph Protection Act.	EPPA	29 CFR 801.42(a)	20,111	20,521.		
WHD	Immigration & Nationality Act.	H2A	29 CFR 501.19(c)	1,658	1,692.		
WHD	Immigration & Nationality Act.	H2A willful or discrimination.	29 CFR 501.19(c)(1)	5,581	5,695.		
WHD	Immigration & Nationality Act.	H2A Safety or health resulting in serious injury or death.	29 CFR 501.19(c)(2)	55,263	56,391.		
WHD	Immigration & Nationality Act.	H2A willful or repeated safety or health resulting in serious injury or death.	29 CFR 501.19(c)(4)	110,524	112,780.		
WHD	Immigration & Nationality Act.	H2A failing to cooperate in an investigation.	29 CFR 501.19(d)	5,581	5,695.		
WHD	Immigration & Nationality Act.	H2A displacing a US worker.	29 CFR 501.19(e)	16,579	16,917.		
WHD	Immigration & Nationality Act.	H2A improperly rejecting a US worker.	29 CFR 501.19(f)	16,579	16,917.		
WHD	Immigration & Nationality Act.	H-2B	29 CFR 503.23(b)-(d).	12,135	12,383.		
WHD	Fair Labor Standards Act.	Home Worker	29 CFR 530.302(a)	1,005	1,026.		
WHD	Fair Labor Standards Act.	Home Worker	29 CFR 530.302(b)	20 1,005	20 1,026.		
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	22,957	23,426.		
OWCP	Longshore and Harbor Workers' Compensation Act.	Failure to report termination of payments.	20 CFR 702.236	279	285.		
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).	2,296 11,478	2,343 11,712.		
OWCP	Black Lung Benefits Act.	Failure to report termination of payments.	20 CFR 725.621(d)	1,397	1,426.		
OWCP	Black Lung Benefits Act.	Failure to file required reports.	20 CFR 725.621(d)	1,397	1,426		

Agency	Law	Name/description	CFR Citation	2017		2018	
				Min penalty (rounded to nearest dollar)	Max penalty (rounded to nearest dollar)	Min penalty (rounded to nearest dollar)	Max penalty (rounded to nearest dollar)
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).	136		139	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for mines with 25–50 employees.	20 CFR 726.302(c)(2)(i).	272		278	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for mines with 51–100 employees.	20 CFR 726.302(c)(2)(i).	409		417	
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).	544		555	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits after 10th day of notice.	20 CFR 726.302(c)(4).	136		139	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for repeat offenders.	20 CFR 726.302(c)(5).	409		417	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits.	20 CFR 726.302(c)(5).		2,795		2,852.

Signed at Washington, DC, this 22nd day of December, 2017.

**R. Alexander Acosta,**

Secretary, U.S. Department of Labor.

[FR Doc. 2017–28224 Filed 12–29–17; 8:45 am]

BILLING CODE 4510–HL–P

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Food and Drug Administration**

**21 CFR Part 573**

[Docket No. FDA–2017–F–2130]

**Food Additives Permitted in Feed and Drinking Water of Animals; Formic Acid as a Feed Acidifying Agent in Complete Poultry Feeds**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA, we, the Agency) is amending the regulations for food additives permitted in feed and drinking water of animals to provide for the safe use of formic acid as a feed acidifying agent in complete poultry feeds. This action is in response to a food additive petition filed by BASF Corp.

**DATES:** This rule is effective January 2, 2018. Submit either written or electronic objections and requests for a hearing by February 1, 2018. See section

V of this document for information on the filing of objections.

**ADDRESSES:** You may submit objections and requests for a hearing as follows:

*Electronic Submissions*

Submit electronic objections in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Objections submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your objection will be made public, you are solely responsible for ensuring that your objection does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your objection, that information will be posted on <https://www.regulations.gov>.

- If you want to submit an objection with confidential information that you do not wish to be made available to the public, submit the objection as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

*Written/Paper Submissions*

Submit written/paper submissions as follows:

- Mail/Hand delivery/Courier (for written/paper submissions): Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper objections submitted to the Dockets Management Staff, FDA will post your objection, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

*Instructions:* All submissions received must include the Docket No. FDA–2017–F–2130 for “Food Additives Permitted in Feed and Drinking Water of Animals; Formic Acid as a Feed Acidifying Agent in Complete Poultry Feeds.” Received objections will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday.

- Confidential Submissions—To submit an objection with confidential information that you do not wish to be made publicly available, submit your objections only as a written/paper submission. You should submit two copies in total. One copy will include the information you claim to be