

in such prohibited conduct, and as a result, we believe that any aggregate economic impact of these revised regulations will be minimal, affecting only those limited few who may engage in prohibited conduct in violation of the statute. As such, this final rule and the inflation adjustment contained therein should have no effect on Federal or state expenditures.

V. Regulatory Flexibility Act

The Administrator of General Services certifies that this final rule will not have a significant economic impact on a substantial number of small business entities. While some penalties may have an impact on small business entities, it is the nature of the violation and not the size of the entity that will result in an action by the agency, and the aggregate economic impact of this rulemaking on small business entities should be minimal, affecting only those few who have engaged in prohibited conduct in violation of statutory intent.

VI. Paperwork Reduction Act

This final rule imposes no new reporting or recordkeeping requirements necessitating clearance by OMB.

List of Subject in 41 CFR Part 105–70

Administrative hearing, Claims, Program fraud.

Dated: January 5, 2018.

Emily W. Murphy,
Administrator.

Accordingly, 41 CFR part 105–70 is amended as set forth below:

PART 105–70—IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986

- 1. The authority citation for part 105–70 is revised to read as follows:

Authority: 40 U.S.C. 121(c); 31 U.S.C. 3809.

* * * * *

§ 105–70.003 [Amended]

- 2. Amend § 105–70.003 by—
- a. Removing from paragraph (a)(1)(iv) the amount “10,781” and adding “11,001” in its place; and
 - b. Removing from paragraph (b)(1)(ii) the amount “10,781” and adding “11,001” in its place.

[FR Doc. 2018–00367 Filed 1–10–18; 8:45 am]

BILLING CODE 6820–81–P

FEDERAL MARITIME COMMISSION

46 CFR Part 506

[Docket No. 18–01]

RIN 3072–AC70

Inflation Adjustment of Civil Monetary Penalties

AGENCY: Federal Maritime Commission.
ACTION: Final rule.

SUMMARY: The Commission is publishing its adjustments to inflation annually, pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (2015 Act). The 2015 Act requires that agencies adjust and publish their civil penalties by January 15 each year.

DATES: This rule is effective on January 15, 2018.

FOR FURTHER INFORMATION CONTACT: Tyler Wood, General Counsel, Federal Maritime Commission, 800 North Capitol Street NW, Room 1018, Washington, DC 20573, (202) 523–5740.

SUPPLEMENTARY INFORMATION: This rule adjusts the civil monetary penalties assessable by the Commission in accordance with the 2015 Act, which became effective on November 2, 2015, Sec. 701 of Public Law 11–74. The 2015 Act further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (FCPIAA), Public Law 101–410, 104 Stat. 890 (codified as amended at 28 U.S.C. 2461 note), in order to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect.

The 2015 Act requires agencies to adjust civil monetary penalties under their jurisdiction by January 15 each year, based on changes in the consumer price index (CPI–U) using data from October in the previous calendar year. On December 15, 2017, the Office of Management and Budget published guidance stating that the CPI–U multiplier for October 2017 is 1.02041.¹ In order to complete the adjustment for January 2018, agencies must multiply the most recent civil penalty amounts in 46 CFR part 506.

Rulemaking Analyses and Notices

Notice and Effective Date

Adjustments under the FCPIAA, as amended by the 2015 Act, are not subject to the procedural rulemaking requirements of the Administrative

¹ Office of Management and Budget, M–18–03, Implementation of Penalty Inflation Adjustments for 2018, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, at 1 (Dec. 15, 2017) (M–18–03).

Procedure Act (APA) (5 U.S.C. 553), including the requirements for prior notice, an opportunity for comment, and a delay between the issuance of a final rule and its effective date.² As noted above, the 2015 Act requires that the Commission adjust its civil monetary penalties no later than January 15 of each year.

Congressional Review Act

The rule is not a “major rule” as defined by the Congressional Review Act, codified at 5 U.S.C. 801 *et seq.* The rule will not result in: (1) An annual effect on the economy of \$100,000,000 or more; (2) a major increase in costs or prices; or (3) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign-based companies. 5 U.S.C. 804(2).

Regulatory Flexibility Act

The Regulatory Flexibility Act (codified as amended at 5 U.S.C. 601–612) provides that whenever an agency promulgates a final rule after being required to publish a notice of proposed rulemaking under the APA (5 U.S.C. 553), the agency must prepare and make available a final regulatory flexibility analysis (FRFA) describing the impact of the rule on small entities. 5 U.S.C. 604. As indicated above, this final rule is not subject to the APA’s notice and comment requirements, and the Commission is not required to prepare an FRFA in conjunction with this final rule.

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521) requires an agency to seek and receive approval from the Office of Management and Budget (OMB) before collecting information from the public. 44 U.S.C. 3507. The agency must submit collections of information in rules to OMB in conjunction with the publication of the notice of proposed rulemaking. 5 CFR 1320.11. This final rule does not contain any collections of information, as defined by 44 U.S.C. 3502(3) and 5 CFR 1320.3(c).

Regulation Identifier Number

The Commission assigns a regulation identifier number (RIN) to each regulatory action listed in the Unified Agenda of Federal Regulatory and Deregulatory Actions (Unified Agenda). The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. You

² FCPIAA section 4(b)(2); M–17–11 at 2.

may use the RIN contained in the heading at the beginning of this document to find this action in the Unified Agenda, available at <http://www.reginfo.gov/public/do/eAgendaMain>.

List of Subjects in 46 CFR Part 506

Administrative practice and procedure, Penalties.

For the reasons stated in the preamble, part 506 of title 46 of the Code of Federal Regulations is amended as follows:

PART 506—CIVIL MONETARY PENALTY INFLATION ADJUSTMENT

■ 1. The authority citation for part 506 continues to read as follows:

Authority: 28 U.S.C. 2461.

■ 2. Amend § 506.4 by revising paragraph (d) to read as follows:

§ 506.4 Cost of living adjustments of civil monetary penalties.

* * * * *

(d) *Inflation adjustment.* Maximum civil monetary penalties within the jurisdiction of the Federal Maritime Commission are adjusted for inflation as follows:

United States Code citation	Civil monetary penalty description	Maximum penalty amount as of January 15, 2017	Maximum penalty as of January 15, 2018
46 U.S.C. 42304	Adverse impact on U.S. carriers by foreign shipping practices	2,011,061	2,052,107
46 U.S.C. 41107(a)	Knowing and Willful violation/Shipping Act of 1984, or Commission regulation or order.	57,391	58,562
46 U.S.C. 41107(b)	Violation of Shipping Act of 1984, Commission regulation or order, not knowing and willful.	11,478	11,712
46 U.S.C. 41108(b)	Operating in foreign commerce after tariff suspension	114,782	117,125
46 U.S.C. 42104	Failure to provide required reports, etc./Merchant Marine Act of 1920	9,054	9,239
46 U.S.C. 42106	Adverse shipping conditions/Merchant Marine Act of 1920	1,810,706	1,847,663
46 U.S.C. 42108	Operating after tariff or service contract suspension/Merchant Marine Act of 1920	90,535	92,383
46 U.S.C. 44102	Failure to establish financial responsibility for non-performance of transportation	22,868	23,335
		762	778
46 U.S.C. 44103	Failure to establish financial responsibility for death or injury	22,868	23,335
		762	778
31 U.S.C. 3802(a)(1)	Program Fraud Civil Remedies Act/makes false claim	10,957	11,181
31 U.S.C. 3802(a)(2)	Program Fraud Civil Remedies Act/giving false statement	10,957	11,181

By the Commission.

Rachel E. Dickon,

Assistant Secretary.

[FR Doc. 2018-00319 Filed 1-10-18; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 622

[Docket No. 170324313-7999-02]

RIN 0648-BG77

Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic Region; Amendment 41

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS implements management measures described in Amendment 41 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP), as prepared and submitted by the South Atlantic Fishery Management Council

(South Atlantic Council). This final rule revises commercial and recreational annual catch limits (ACLs), the minimum size limit, commercial trip limits, and the recreational bag limit for mutton snapper in the South Atlantic based on the results of the most recent stock assessment update. The purpose of this final rule is to ensure that mutton snapper is managed based on the best scientific information available to achieve optimum yield (OY) and to prevent overfishing, while minimizing adverse social and economic effects to the extent practicable.

DATES: This final rule is effective on February 10, 2018.

ADDRESSES: Electronic copies of Amendment 41 may be obtained from www.regulations.gov or the Southeast Regional Office website at http://http://sero.nmfs.noaa.gov/sustainable_fisheries/s_atl/sg/2016/am41/index.html. Amendment 41 includes an environmental assessment, regulatory impact review, Regulatory Flexibility Act (RFA) analysis, and fishery impact statement.

FOR FURTHER INFORMATION CONTACT: Mary Vara, NMFS Southeast Regional Office, telephone: 727-824-5305, or email: mary.vara@noaa.gov.

SUPPLEMENTARY INFORMATION: The snapper-grouper fishery in the South Atlantic region includes mutton snapper

and is managed under the Snapper-Grouper FMP. The Snapper-Grouper FMP was prepared by the South Atlantic Council and is implemented by NMFS through regulations at 50 CFR part 622 under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

On September 26, 2017, NMFS published the notice of availability for Amendment 41 in the **Federal Register** and requested public comment (82 FR 44756). On October 24, 2017, NMFS published a proposed rule for Amendment 41 in the **Federal Register** and requested public comment (82 FR 49167). Amendment 41 and the proposed rule outline the rationale for the actions contained in this final rule. A summary of the management measures described in Amendment 41 and implemented by this final rule is provided below.

Management Measures Contained in This Final Rule

This final rule revises the mutton snapper ACLs for the commercial and recreational sectors in the South Atlantic, increases the minimum size limit for mutton snapper in the commercial and recreational sectors, and modifies the commercial trip limit and the recreational bag limit. Unless