

and within 1.3 miles each side of a 079° bearing, extending from the 8.7-mile radius to 11.6 miles east of the Eagle County Regional Airport.

Lastly, this amendment updates the airport's geographic coordinates to match the FAA's aeronautical database.

**Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5–6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

**PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

**§71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

**ANM CO D Eagle, CO**

Eagle County Regional Airport, CO  
(Lat. 39°38'34" N, long. 106°54'57" W)

That airspace extending upward from the surface to and including 9,100 feet MSL within a 4.4-mile radius, and extending from the 4.4-mile radius to a 6.5-mile radius along the 199° bearing, thence clockwise to the 277° bearing, and extending from the 4.4-mile radius to a 6.5-mile radius along the 45° bearing, thence clockwise to the 103° bearing from the Eagle County Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

*Paragraph 6002 Class E Airspace Areas Designated as a Surface Area.*

\* \* \* \* \*

**ANM CO E2 Eagle, CO**

Eagle County Regional Airport, CO  
(Lat. 39°38'34" N, long. 106°54'57" W)

That airspace extending upward from the surface within a 4.4-mile radius, and extending from the 4.4-mile radius to a 6.5-mile radius along the 199° bearing, thence clockwise to the 277° bearing, and extending from the 4.4-mile radius to a 6.5-mile radius along the 45° bearing, thence clockwise to the 103° bearing from the Eagle County Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

*Paragraph 6004 Class E Airspace Areas Designated as an Extension to a Class D or Class E.*

\* \* \* \* \*

**ANM CO E4 Eagle, CO**

Eagle County Regional Airport, CO  
(Lat. 39°38'34" N, long. 106°54'57" W)

That airspace extending upward from the surface within 1.0 mile each side of the 079° bearing, extending from the 6.5-mile radius to the 8.7-mile radius east of the Eagle County Regional Airport.

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

**ANM CO E5 Eagle, CO**

Eagle County Regional Airport, CO  
(Lat. 39°38'34" N, long. 106°54'57" W)

That airspace extending upward from 700 feet above the surface within an 8.7-mile

radius of the airport, and within 1.3 miles each side of a 079° bearing, extending from the 8.7-mile radius to 11.6 miles east of the Eagle County Regional Airport.

Issued in Seattle, Washington, on January 8, 2020.

**Byron Chew,**

*Group Manager, Western Service Center Operations Support Group.*

[FR Doc. 2020–00412 Filed 1–14–20; 8:45 am]

**BILLING CODE 4910–13–P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**20 CFR Part 655**

**Office of Workers' Compensation Programs**

**20 CFR Parts 702, 725, and 726**

**Wage and Hour Division**

**29 CFR Parts 500, 501, 503, 530, 570, 578, 579, 801, and 825**

**Occupational Safety and Health Administration**

**29 CFR Part 1903**

**Employee Benefits Security Administration**

**29 CFR Part 2560, 2575, and 2590**

**Mine Safety and Health Administration**

**30 CFR Part 100**

**RIN 1290-AA38**

**Department of Labor Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2020**

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

**ACTION:** Final rule.

**SUMMARY:** The U.S. Department of Labor (Department) is publishing this final rule to adjust for inflation the civil monetary penalties assessed or enforced by the Department, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990 as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of

2015 (Inflation Adjustment Act). The Inflation Adjustment Act requires the Department to annually adjust its civil money penalty levels for inflation no later than January 15 of each year. The Inflation Adjustment Act provides that agencies shall adjust civil monetary penalties notwithstanding Section 553 of the Administrative Procedure Act (APA). Additionally, the Inflation Adjustment Act provides a cost-of-living formula for adjustment of the civil penalties. Accordingly, this final rule sets forth the Department's 2020 annual adjustments for inflation to its civil monetary penalties.

**DATES:** This final rule is effective on January 15, 2020. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after January 15, 2020.

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

**SUPPLEMENTARY INFORMATION:**

**Preamble Table of Contents**

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  - I. 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, 701 (Inflation Adjustment Act), which further amended the Federal Civil Penalties Inflation Adjustment Act of 1990 as previously amended by the 1996 Debt Collection Improvement Act (collectively, the "Prior Inflation Adjustment Act"), to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. The Inflation Adjustment Act required agencies to: (1) Adjust the level of civil monetary penalties with an initial "catch-up" adjustment through an interim final rule (IFR); and (2) make subsequent annual adjustments for inflation no later than January 15 of each year.

On July 1, 2016, the Department published an IFR that established the initial catch-up adjustment for most civil penalties that the Department administers and requested comments. See 81 FR 43430 (DOL IFR). On January 18, 2017, the Department published the final rule establishing the 2017 Annual Adjustment for those civil monetary penalties adjusted in the DOL IFR. See 82 FR 5373 (DOL 2017 Annual Adjustment). On July 1, 2016, the U.S. Department of Homeland Security (DHS) and the U.S. Department of Labor (DOL) (collectively, "the Departments") jointly published an IFR that established the initial catch-up adjustment for civil monetary penalties assessed or enforced in connection with the employment of temporary nonimmigrant workers under the H-2B program. See 81 FR 42983 (Joint IFR). On March 17, 2017, the Departments jointly published the final rule establishing the 2017 Annual Adjustment for the H-2B civil monetary penalties. See 82 FR 14147 (Joint 2017 Annual Adjustment). The Joint 2017 Annual Adjustment also explained that DOL would make future adjustments to the H-2B civil monetary penalties consistent with DOL's delegated authority under 8 U.S.C. 1184(c)(14), Immigration and Nationality Act section 214(c)(14), and the Inflation Adjustment Act. See 82 FR 14147-48. On January 2, 2018, the Department published the final rule establishing the 2018 Annual Adjustment for civil monetary penalties assessed or enforced by the Department, including H-2B civil monetary penalties. See 83 FR 7 (DOL 2018 Annual Adjustment). On January 23, 2019, the Department published the final rule establishing the 2019 Annual Adjustment for civil monetary penalties assessed or enforced by the Department,

including H-2B civil monetary penalties. See 84 FR 213 (DOL 2019 Annual Adjustment).

This rule implements the 2020 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.<sup>1</sup> 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.

This rule is not an Executive Order 13771 regulatory action because this rule is not significant under Executive Order 12866.

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), the Office of Information and Regulatory Affairs designated this rule as not a 'major rule,' as defined by 5 U.S.C. 804(2).

**II. Adjustment for 2020**

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>2</sup>

The Department first identified the most recent penalty amount, which is the amount established by the 2019 annual adjustment as set forth in the DOL 2019 Annual Adjustment published on January 23, 2019. 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 2019 CPI-U and the October 2018 CPI-U. The cost-of-living adjustment multiplier for 2020, based on the Consumer Price Index (CPI-U) for the month of October 2019, not seasonally adjusted, is 1.01764.<sup>3</sup> In

<sup>1</sup> The Department is also responsible for administering and enforcing a newly-enacted civil monetary penalty under the Fair Labor Standards Act (*see* Pub. L. 115-141, section 1201 (2018)) and proposed regulations to codify this civil monetary penalty in the Code of Federal Regulations on October 8, 2019. See Tip Regulations Under the Fair Labor Standards Act (FLSA), 84 FR 53956 (proposed Oct. 8, 2019).

<sup>2</sup> M-20-05, Implementation of Penalty Inflation Adjustments for 2020, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 16, 2019).

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

order to compute the 2020 annual adjustment, the Department multiplied the most recent penalty amount for each applicable penalty by the multiplier, 1.01764, and rounded to the nearest dollar. This resulted in increases to all but four of the penalties administered

by the Department, as set forth in the Appendix.

As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after the effective date of this rule.<sup>4</sup> Accordingly, for penalties assessed after

January 15, 2020, whose associated violations occurred after November 2, 2015, the higher penalty amounts outlined in this rule will apply. The tables below demonstrate the penalty amounts that apply:

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

Violations occurring	Penalty assessed	Which penalty level applies
On or before November 2, 2015 .....	On or before August 1, 2016 .....	Pre-August 1, 2016 levels.
On or before November 2, 2015 .....	After August 1, 2016 .....	Pre-August 1, 2016 levels.
After November 2, 2015 .....	After August 1, 2016, but on or before March 17, 2017.	August 1, 2016 levels.
After November 2, 2015 .....	After March 17, 2017 but on or before January 2, 2018.	March 17, 2017 levels.
After November 2, 2015 .....	After January 2, 2018 but on or before January 23, 2019.	January 2, 2018 levels.
After November 2, 2015 .....	After January 23, 2019 but on or before January 15, 2020.	January 23, 2019 levels.
After November 2, 2015 .....	After January 15, 2020 .....	January 15, 2020 levels.

**CIVIL MONETARY PENALTIES FOR OTHER DOL PROGRAMS**

Violations occurring	Penalty assessed	Which penalty level applies
On or before November 2, 2015 .....	On or before August 1, 2016 .....	Pre-August 1, 2016 levels.
On or before November 2, 2015 .....	After August 1, 2016 .....	Pre-August 1, 2016 levels.
After November 2, 2015 .....	After August 1, 2016, but on or before January 13, 2017.	August 1, 2016 levels.
After November 2, 2015 .....	After January 13, 2017 but on or before January 2, 2018.	January 13, 2017 levels.
After November 2, 2015 .....	After January 2, 2018 but on or before January 23, 2019.	January 2, 2018 levels.
After November 2, 2015 .....	After January 23, 2019 but on or before January 15, 2020.	January 23, 2019 levels.
After November 2, 2015 .....	After January 15, 2020 .....	January 15, 2020 levels.

**III. Paperwork Reduction Act**

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

**IV. Administrative Procedure Act**

The Inflation Adjustment Act provides that agencies shall annually adjust civil monetary penalties for inflation notwithstanding Section 553 of the APA. Additionally, the Inflation Adjustment Act provides a nondiscretionary cost-of-living formula for annual adjustment of the civil monetary penalties. For these reasons, the requirements in sections 553(b), (c), and (d) of the APA, relating to notice and comment and requiring that a rule be effective 30 days after publication in the **Federal Register**, are inapplicable.

**V. Executive Order 12866: Regulatory Planning and Review and Executive Order 13563: Improving Regulation and Regulatory Review**

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.

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

The Inflation Adjustment Act directed the Department to issue the annual

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

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 Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 667) requires Occupational Safety and Health Administration (OSHA)-approved State Plans to have standards and an enforcement program that are at least as effective as federal OSHA's standards and enforcement program. OSHA-approved State Plans must have maximum and minimum penalty levels that are at least as effective as federal OSHA's per Section 18(c)(2) of the OSH Act. *See also* 29 CFR

1902.4(c)(2)(xi); 1902.37(b)(12). State Plans are required to increase their penalties in alignment with OSHA's penalty increases to maintain at least as effective penalty levels.

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

Other than as listed above, this final rule does not have federalism implications because it does not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Accordingly, Executive Order 13132, Federalism, requires no further agency action or analysis.

##### *C. Executive Order 13175: Indian Tribal Governments*

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

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

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

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

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

##### *F. Environmental Impact Assessment*

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

##### *G. Executive Order 13211: Energy Supply*

This final rule has been reviewed for its impact on the supply, distribution, and use of energy because it applies, in part, to the coal mining and uranium industries. Mine Safety and Health Administration (MSHA) has concluded that the adjustment of civil monetary penalties to keep pace with inflation and thus maintain the incentive for operators to maintain safe and healthful workplaces is not a significant energy action because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

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

##### *H. Executive Order 12630: Constitutionally Protected Property Rights*

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

##### *I. Executive Order 12988: Civil Justice Reform Analysis*

This final rule was drafted and reviewed in accordance with Executive Order 12988, Civil Justice Reform. This final rule was written to provide a clear legal standard for affected conduct and was carefully reviewed to eliminate

drafting errors and ambiguities, so as to minimize litigation and undue burden on the Federal court system. The Department has determined that this final rule meets the applicable standards provided in section 3 of Executive Order 12988.

### List of Subjects

#### 20 CFR Part 655

Immigration, Labor, Penalties.

#### 20 CFR Part 702

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

#### 20 CFR Part 725

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

#### 20 CFR Part 726

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

#### 29 CFR Part 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 Part 1903

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

#### 29 CFR Part 2560

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

#### 29 CFR Part 2575

Administrative practice and procedure, Employee benefit plans, Employee Retirement Income Security Act, Health care, Penalties, Pensions.

#### 29 CFR Part 2590

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

#### 30 CFR Part 100

Mine safety and health, Penalties. For the reasons set out in the preamble, 20 CFR chapters V and VI, 29 CFR subtitle A and chapters V, XVII, and XXV, and 30 CFR chapter I 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); and sec. 6, Pub. L. 115–128, 132 Stat. 1547 (48 U.S.C. 1806).

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).

Subpart E issued under 48 U.S.C. 1806.

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(m) and (t), and 1184(g) and (j); sec. 303(a)(8), Pub. L. 102–232, 105 Stat. 1733, 1748 (8 U.S.C. 1101 note); sec. 412(e), Pub. L. 105–277, 112 Stat. 2681; 8 CFR 214.2(h); and 28 U.S.C. 2461 note, Pub. L. 114–74 at section 701.

Subparts L and M issued under 8 U.S.C.

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

### §§ 655.620, 655.801, and 655.810 [Amended]

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

Paragraph	Remove	Add
§ 655.620(a) .....	\$9,472	\$9,639
§ 655.801(b) .....	7,710	7,846
§ 655.810(b)(1) introductory text .....	1,895	1,928
§ 655.810(b)(2) introductory text .....	7,710	7,846
§ 655.810(b)(3) introductory text .....	53,969	54,921

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

amount or date indicated in the right column.

Section/paragraph	Remove	Add
§ 702.204 .....	\$24,017 .....	\$24,441.
§ 702.204 .....	January 23, 2019 .....	January 15, 2020.
§ 702.236 .....	\$292 .....	\$297.
§ 702.236 .....	January 23, 2019 .....	January 15, 2020.
§ 702.271(a)(2) .....	January 23, 2019 .....	January 15, 2020.
§ 702.271(a)(2) .....	\$2,402 .....	\$2,444.
§ 702.271(a)(2) .....	\$12,007 .....	\$12,219.

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

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

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

**§ 725.621 [Amended]**

■ 6. In § 725.621, amend paragraph (d) by removing “January 23, 2019” and adding in its place “January 15, 2020” and by removing “\$1,462” and adding in its place “\$1,488”.

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

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

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

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

**§ 726.302 [Amended]**

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

Paragraph	Remove	Add
§ 726.302(c)(2)(i) table Introductory text .....	January 23, 2019 .....	January 15, 2020.
§ 726.302(c)(2)(i) table .....	\$143 .....	\$146.
§ 726.302(c)(2)(i) table .....	285 .....	290.
§ 726.302(c)(2)(i) table .....	428 .....	436.
§ 726.302(c)(2)(i) table .....	569 .....	579.
§ 726.302(c)(4) .....	January 23, 2019 .....	January 15, 2020.
§ 726.302(c)(4) .....	\$143 .....	\$146.
§ 726.302(c)(5) .....	January 23, 2019 .....	January 15, 2020.
§ 726.302(c)(5) .....	\$428 .....	\$436.
§ 726.302(c)(6) .....	January 23, 2019 .....	January 15, 2020.
§ 726.302(c)(6) .....	\$2,924 .....	\$2,976.

**DEPARTMENT OF LABOR**

**Wage and Hour Division**

**Title 29—Labor**

**PART 500—MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION**

■ 9. 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]**

■ 10. In § 500.1, amend paragraph (e) by removing “\$2,505” and adding in its place “\$2,549”.

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

■ 11. 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]**

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

Paragraph	Remove	Add
§ 501.19(c) introductory text	\$1,735	\$1,766

Paragraph	Remove	Add
§ 501.19(c)(1) .....	5,839	5,942
§ 501.19(c)(2) .....	57,813	58,833
§ 501.19(c)(4) .....	115,624	117,664
§ 501.19(d) .....	5,839	5,942
§ 501.19(e) .....	17,344	17,650
§ 501.19(f) .....	17,344	17,650

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

■ 13. 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]**

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

Paragraph	Remove	Add
§ 503.23(b) .....	\$12,695	\$12,919
§ 503.23(c) .....	12,695	12,919
§ 503.23(d) .....	12,695	12,919

**PART 530—EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES**

■ 15. 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.

■ 16. In § 530.302, amend paragraph (a) by removing “\$1,052” and adding in its place “\$1,071” and revise paragraph (b). The revision reads as follows:

**§ 530.302 Amounts of civil penalties.**

\* \* \* \* \*

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

Nature of violation	Penalty per affected homemaker		
	Minor	Substantial	Repeated, intentional or knowing
Recordkeeping .....	\$21–214	\$214–428	\$428–1,071
Monetary violations .....	21–214	214–428	.....
Employment of homeworkers without a certificate .....	.....	214–428	428–1,071
Other violations of statutes, regulations or employer assurances .....	21–214	214–428	428–1,071

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

■ 17. 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]**

■ 18. In § 570.140, amend paragraph (b)(1) by removing “\$12,845” and adding in its place “\$13,072” and paragraph (b)(2) by removing “\$58,383” and adding in its place “\$59,413”.

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

■ 19. 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]**

■ 20. In § 578.3, amend paragraph (a) by removing “\$2,014” and adding in its place “\$2,050”.

**PART 579—CHILD LABOR VIOLATIONS—CIVIL MONEY PENALTIES**

■ 21. 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]**

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

Paragraph	Remove	Add
§ 579.1(a)(1)(i)(A) .....	\$12,845	\$13,072
§ 579.1(a)(1)(i)(B) .....	58,383	59,413
§ 579.1(a)(2) .....	2,014	2,050

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

■ 23. 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]**

■ 24. In § 801.42 amend paragraph (a) introductory text by removing “\$21,039” and adding in its place “\$21,410”.

**PART 825—THE FAMILY AND MEDICAL LEAVE ACT OF 1993**

■ 25. 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]**

■ 26. In § 825.300 amend paragraph (a)(1) by removing “\$173” and adding in its place “\$176”.

**DEPARTMENT OF LABOR Occupational Safety and Health Administration**

**Title 29—Labor**

**PART 1903—INSPECTIONS, CITATIONS, AND PROPOSED PENALTIES**

■ 27. 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]**

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

Paragraph	Remove	Add
§ 1903.15(d) introductory text .....	January 23, 2019 .....	January 15, 2020.
§ 1903.15(d)(1) .....	\$9,472 .....	\$9,639.
§ 1903.15(d)(1) .....	\$132,598 .....	\$134,937.
§ 1903.15(d)(2) .....	\$132,598 .....	\$134,937.
§ 1903.15(d)(3) .....	\$13,260 .....	\$13,494.
§ 1903.15(d)(4) .....	\$13,260 .....	\$13,494.
§ 1903.15(d)(5) .....	\$13,260 .....	\$13,494.
§ 1903.15(d)(6) .....	\$13,260 .....	\$13,494.

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

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

■ 29. 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.

■ 30. In § 100.3, amend paragraph (a)(1) introductory text by removing “72,620” and adding in its place “73,901” and in paragraph (g) by revising Table XIV—Penalty Conversion Table.

The revision reads as follows:

**§ 100.3 Determination of penalty amount; regular assessment.**

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

**TABLE XIV—PENALTY CONVERSION TABLE**

Points	Penalty (\$)
60 or fewer .....	137
61 .....	150
62 .....	161
63 .....	175
64 .....	190
65 .....	206
66 .....	222
67 .....	242
68 .....	261
69 .....	283
70 .....	306
71 .....	332
72 .....	361
73 .....	390
74 .....	421
75 .....	458

**TABLE XIV—PENALTY CONVERSION TABLE—Continued**

Points	Penalty (\$)
76 .....	498
77 .....	536
78 .....	582
79 .....	631
80 .....	684
81 .....	740
82 .....	801
83 .....	869
84 .....	941
85 .....	1,021
86 .....	1,105
87 .....	1,196
88 .....	1,296
89 .....	1,404
90 .....	1,521
91 .....	1,648
92 .....	1,784
93 .....	1,932
94 .....	2,094
95 .....	2,268
96 .....	2,457
97 .....	2,661
98 .....	2,884
99 .....	3,124
100 .....	3,385
101 .....	3,666
102 .....	3,971
103 .....	4,302
104 .....	4,660
105 .....	5,049
106 .....	5,469
107 .....	5,925
108 .....	6,418
109 .....	6,953
110 .....	7,532
111 .....	8,157
112 .....	8,839
113 .....	9,575
114 .....	10,373
115 .....	11,236
116 .....	12,171
117 .....	13,186
118 .....	14,284
119 .....	15,474
120 .....	16,762

**TABLE XIV—PENALTY CONVERSION TABLE—Continued**

Points	Penalty (\$)
121 .....	18,159
122 .....	19,670
123 .....	21,309
124 .....	23,085
125 .....	25,004
126 .....	27,089
127 .....	29,346
128 .....	31,789
129 .....	34,437
130 .....	37,306
131 .....	40,413
132 .....	43,778
133 .....	47,423
134 .....	51,207
135 .....	54,988
136 .....	58,773
137 .....	62,553
138 .....	66,337
139 .....	70,118
140 or more .....	73,901

**§§ 100.4 and 100.5 [Amended]**

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

Paragraph	Remove	Add
§ 100.4(a) .....	\$2,421	\$2,464
§ 100.4(b) .....	4,840	4,925
§ 100.4(c) introductory text .....	6,052	6,159
§ 100.4(c) introductory text .....	72,620	73,901
§ 100.5(c) .....	7,867	8,006
§ 100.5(d) .....	332	338
§ 100.5(e) .....	266,275	270,972

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

Agency	Law	Name/description	CFR citation	2019		2020	
				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) .....	.....	\$72,620 .....	.....	\$73,901

Agency	Law	Name/description	CFR citation	2019		2020	
				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.	Penalty Conversion Table .....	30 CFR 100.3(g) ....	\$135	\$72,620 .....	\$137 .....	\$73,901
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) ....	2,421 .....	.....	\$2,464 .....	.....
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) ....	4,840 .....	.....	\$4,925 .....	.....
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) ....	6,052	\$72,620 .....	\$6,159 .....	\$73,901
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) ....	.....	\$7,867 .....	.....	\$8,006
MSHA ....	Federal Mine Safety & Health Act of 1977.	Violation of mandatory safety standards related to smoking standards.	30 CFR 100.5(d) ....	.....	\$332 .....	.....	\$338
MSHA ....	Federal Mine Safety & Health Act of 1977.	Flagrant violations under 110(b)(2) of the Mine Act.	30 CFR 100.5(e) ....	.....	\$266,275 .....	.....	\$270,972
EBSA .....	Employee Retirement Income Security Act.	Section 209(b): Per plan year for failure to furnish reports (e.g., pension benefit statements) to certain former employees or maintain employee records each employee a separate violation..	29 CFR 2575.1-3 ...	.....	\$30 .....	.....	\$31
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(2)—Per day for failure/refusal to properly file plan annual report.	29 CFR 2575.1-3 ...	.....	\$2,194 .....	.....	\$2,233
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(4)—Per day for failure to disclose certain documents upon request under ERISA 101(k) and (l); failure to furnish notices under 101(j) and 514(e)(3)—each statutory recipient a separate violation.	29 CFR 2575.1-3 ...	.....	\$1,736 .....	.....	\$1,767
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(5)—Per day for each failure to file annual report for Multiple Employer Welfare Arrangements (MEWAs) under 101(g).	29 CFR 2575.1-3 ...	.....	\$1,597 .....	.....	\$1,625
EBSA .....	Employee Retirement Income Security Act.	Section 502 (c)(6)—Per day for each failure to provide Secretary of Labor requested documentation not to exceed a per-request maximum.	29 CFR 2575.1-3 ...	.....	\$156 per day, not to exceed \$1,566 per request.	.....	\$159 per day, not to exceed \$1,594 per request.
EBSA .....	Employee Retirement Income Security Act.	Section 502 (c)(7)—Per day for each failure to provide notices of blackout periods and of right to divest employer securities— each statutory recipient a separate violation.	29 CFR 2575.1-3 ...	.....	\$139 .....	.....	\$141
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; or failure of a critical status multiemployer plan to adopt a rehabilitation plan.	29 CFR 2575.1-3 ...	.....	\$1,378 .....	.....	\$1,402
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(9)(A)—Per day for each failure by an employer to inform employees of CHIP coverage opportunities under Section 701(f)(3)(B)(i)(I)— each employee a separate violation.	29 CFR 2575.1-3 ...	.....	\$117 .....	.....	\$119
EBSA .....	Employee Retirement Income Security Act.	Section 502(c)(9)(B)—Per day for each failure by a plan to timely provide to any State information required to be disclosed under Section 701(f)(3)(B)(ii), as added by CHIP regarding coverage coordination—each participant/beneficiary a separate violation.	29 CFR 2575.1-3 ...	.....	\$117 .....	.....	\$119

Agency	Law	Name/description	CFR citation	2019		2020	
				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 during non-compliance period.	29 CFR 2575.1-3		\$117		\$119
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected de minimis violation.	29 CFR 2575.1-3	\$2,919		\$2,970	
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—uncorrected violations that are not de minimis.	29 CFR 2575.1-3	\$17,515		\$17,824	
EBSA	Employee Retirement Income Security Act.	Section 502(c)(10)—unintentional failure maximum cap.	29 CFR 2575.1-3		\$583,830		\$594,129
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 2575.1-3		\$107		\$109
EBSA	Employee Retirement Income Security Act.	Section 502 (m)—Failure of fiduciary to make a proper distribution from a defined benefit plan under section 206(e) of ERISA.	29 CFR 2575.1-3		\$16,915		\$17,213
EBSA	Employee Retirement Income Security Act.	Failure to provide Summary of Benefits Coverage under PHS Act section 2715(f), as incorporated in ERISA section 715 and 29 CFR 2590.715-2715(e).	29 CFR 2575.1-3		\$1,156		\$1,176
OSHA	Occupational Safety and Health Act.	Serious Violation	29 CFR 1903.15(d)(3).		\$13,260		\$13,494
OSHA	Occupational Safety and Health Act.	Other-Than-Serious	29 CFR 1903.15(d)(4).		\$13,260		\$13,494
OSHA	Occupational Safety and Health Act.	Willful	29 CFR 1903.15(d)(1).	9,472	\$132,598	\$9,639	\$134,937
OSHA	Occupational Safety and Health Act.	Repeated	29 CFR 1903.15(d)(2).		\$132,598		\$134,937
OSHA	Occupational Safety and Health Act.	Posting Requirement	29 CFR 1903.15(d)(6).		\$13,260		\$13,494
OSHA	Occupational Safety and Health Act.	Failure to Abate	29 CFR 1903.15(d)(5).		\$13,260 per day.		\$13,494 per day.
WHD	Family and Medical Leave Act.	FMLA	29 CFR 825.300(a)(1).		\$173		\$176
WHD	Fair Labor Standards Act.	FLSA	29 CFR 578.3(a)		\$2,014		\$2,050
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 579.1(a)(2)		\$2,014		\$2,050
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 570.140(b)(1).		\$12,845		\$13,072
WHD	Fair Labor Standards Act.	Child Labor	29 CFR 579.1(a)(1)(i)(A).		\$12,845		\$13,072
WHD	Fair Labor Standards Act.	Child Labor that causes serious injury or death.	29 CFR 570.140(b)(2).		\$58,383		\$59,413
WHD	Fair Labor Standards Act.	Child Labor that causes serious injury or death.	29 CFR 579.1(a)(1)(i)(B).		\$58,383		\$59,413
WHD	Fair Labor Standards Act.	Child Labor willful or repeated that causes serious injury or death (penalty amount doubled).	29 CFR 570.140(b)(2); 29 CFR 579.1(a)(1)(i)(B) Doubled.		\$116,766		\$118,826
WHD	Migrant and Seasonal Agricultural Worker Protection Act.	MSPA	29 CFR 500.1(e)		\$2,505		\$2,549
WHD	Immigration & Nationality Act.	H1B	20 CFR 655.810(b)(1).		\$1,895		\$1,928
WHD	Immigration & Nationality Act.	H1B retaliation	20 CFR 655.801(b)		\$7,710		\$7,846
WHD	Immigration & Nationality Act.	H1B willful or discrimination	20 CFR 655.810(b)(2).		\$7,710		\$7,846
WHD	Immigration & Nationality Act.	H1B willful that resulted in displacement of a US worker.	20 CFR 655.810(b)(3).		\$53,969		\$54,921

Agency	Law	Name/description	CFR citation	2019		2020	
				Min penalty (rounded to nearest dollar)	Max penalty (rounded to nearest dollar)	Min penalty (rounded to nearest dollar)	Max penalty (rounded to nearest dollar)
WHD	Immigration & Nationality Act.	D-1	20 CFR 655.620(a)		\$9,472		\$9,639
WHD	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.5(b)(2)		\$27		\$27
WHD	Contract Work Hours and Safety Standards Act.	CWHSSA	29 CFR 5.8(a)		\$27		\$27
WHD	Walsh-Healey Public Contracts Act.	Walsh-Healey	41 CFR 50-201.3(e)		\$27		\$27
WHD	Employee Polygraph Protection Act.	EPPA	29 CFR 801.42(a)		\$21,039		\$21,410
WHD	Immigration & Nationality Act.	H2A	29 CFR 501.19(c)		\$1,735		\$1,766
WHD	Immigration & Nationality Act.	H2A willful or discrimination	29 CFR 501.19(c)(1)		\$5,839		\$5,942
WHD	Immigration & Nationality Act.	H2A Safety or health resulting in serious injury or death.	29 CFR 501.19(c)(2)		\$57,813		\$58,833
WHD	Immigration & Nationality Act.	H2A willful or repeated safety or health resulting in serious injury or death.	29 CFR 501.19(c)(4)		\$115,624		\$117,664
WHD	Immigration & Nationality Act.	H2A failing to cooperate in an investigation.	29 CFR 501.19(d)		\$5,839		\$5,942
WHD	Immigration & Nationality Act.	H2A displacing a US worker	29 CFR 501.19(e)		\$17,344		\$17,650
WHD	Immigration & Nationality Act.	H2A improperly rejecting a US worker	29 CFR 501.19(f)		\$17,344		\$17,650
WHD	Immigration & Nationality Act.	H-2B	29 CFR 503.23(b)		\$12,695		\$12,919
WHD	Immigration & Nationality Act.	H-2B	29 CFR 503.23(c)		\$12,695		\$12,919
WHD	Immigration & Nationality Act.	H-2B	29 CFR 503.23(d)		\$12,695		\$12,919
WHD	Fair Labor Standards Act.	Home Worker	29 CFR 530.302(a)		\$1,052.00		\$1,071
WHD	Fair Labor Standards Act.	Home Worker	29 CFR 530.302(b)	21	\$1,052.00	\$21	\$1,071
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		\$24,017		\$24,441
OWCP	Longshore and Harbor Workers' Compensation Act.	Failure to report termination of payments	20 CFR 702.236		\$292		\$297
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).	2,402	\$12,007	\$2,444	\$12,219
OWCP	Black Lung Benefits Act.	Failure to report termination of payments	20 CFR 725.621 (d)		\$1,462		\$1,488
OWCP	Black Lung Benefits Act.	Failure to file required reports	20 CFR 725.621(d)		\$1,462		\$1,488
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).	143		\$146	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for mines with 25-50 employees.	20 CFR 726.302(c)(2)(i).	285		\$290	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for mines with 51-100 employees.	20 CFR 726.302(c)(2)(i).	428		\$436	
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).	569		\$579	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits after 10th day of notice.	20 CFR 726.302(c)(4).	143		\$146	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits for repeat offenders.	20 CFR 726.302(c)(5).	428		\$436	
OWCP	Black Lung Benefits Act.	Failure to secure payment of benefits	20 CFR 726.302(c)(5).		\$2,924		\$2,976

Signed at Washington, DC, this 9th day of January, 2020.

**Eugene Scalia,**

Secretary, U.S. Department of Labor.

[FR Doc. 2020-00486 Filed 1-14-20; 8:45 am]

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**PENSION BENEFIT GUARANTY CORPORATION**

**29 CFR Part 4022**

**Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Pension Benefit Guaranty Corporation’s regulation on Benefits Payable in Terminated Single-Employer Plans to prescribe certain interest assumptions under the regulation for plans with valuation dates in February 2020. These interest assumptions are used for paying certain benefits under terminating single-employer plans covered by the pension insurance system administered by PBGC.

**DATES:** Effective February 1, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Gregory Katz (*katz.gregory@pbgc.gov*), Attorney, Regulatory Affairs Division, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005, 202-326-4400 ext. 3829. (TTY users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4400, ext. 3829.)

**SUPPLEMENTARY INFORMATION:** PBGC’s regulation on Benefits Payable in

Terminated Single-Employer Plans (29 CFR part 4022) prescribes actuarial assumptions—including interest assumptions—for paying plan benefits under terminated single-employer plans covered by title IV of the Employee Retirement Income Security Act of 1974 (ERISA). The interest assumptions in the regulation are also published on PBGC’s website (*https://www.pbgc.gov*).

PBGC uses the interest assumptions in appendix B to part 4022 (“Lump Sum Interest Rates for PBGC Payments”) to determine whether a benefit is payable as a lump sum and to determine the amount to pay. Because some private-sector pension plans use these interest rates to determine lump sum amounts payable to plan participants (if the resulting lump sum is larger than the amount required under section 417(e)(3) of the Internal Revenue Code and section 205(g)(3) of ERISA), these rates are also provided in appendix C to part 4022 (“Lump Sum Interest Rates for Private-Sector Payments”).

This final rule updates appendices B and C of the benefit payments regulation to provide the rates for February 2020 measurement dates.

The February 2020 lump sum interest assumptions will be 0.25 percent for the period during which a benefit is (or is assumed to be) in pay status and 4.00 percent during any years preceding the benefit’s placement in pay status. In comparison with the interest assumptions in effect for January 2020, these assumptions represent no change in the immediate rate and are otherwise unchanged.

PBGC updates appendices B and C each month. PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This

finding is based on the need to issue new interest assumptions promptly so that they are available for plans that rely on our publication of them each month to calculate lump sum benefit amounts.

Because of the need to provide immediate guidance for the payment of benefits under plans with valuation dates during February 2020, PBGC finds that good cause exists for making the assumptions set forth in this amendment effective less than 30 days after publication.

PBGC has determined that this action is not a “significant regulatory action” under the criteria set forth in Executive Order 12866.

Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply. See 5 U.S.C. 601(2).

**List of Subjects in 29 CFR Part 4022**

Employee benefit plans, Pension insurance, Pensions, Reporting and recordkeeping requirements.

In consideration of the foregoing, 29 CFR part 4022 is amended as follows:

**PART 4022—BENEFITS PAYABLE IN TERMINATED SINGLE-EMPLOYER PLANS**

■ 1. The authority citation for part 4022 continues to read as follows:

**Authority:** 29 U.S.C. 1302, 1322, 1322b, 1341(c)(3)(D), and 1344.

■ 2. In appendix B to part 4022, rate set 316 is added at the end of the table to read as follows:

**Appendix B to Part 4022—Lump Sum Interest Rates for PBGC Payments**

\* \* \* \* \*

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities (percent)				
	On or after	Before		<i>i</i> <sub>1</sub>	<i>i</i> <sub>2</sub>	<i>i</i> <sub>3</sub>	<i>n</i> <sub>1</sub>	<i>n</i> <sub>2</sub>
316	2-1-20	3-1-20	0.25	4.00	4.00	4.00	7	8

■ 3. In appendix C to part 4022, rate set 316 is added at the end of the table to read as follows:

**Appendix C to Part 4022—Lump Sum Interest Rates for Private-Sector Payments**

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