

Information and Regulatory Affairs of the Office of Management and Budget, that this rule is not a “major rule” as defined in section 351 of the Small Business Regulatory Enforcement Fairness Act of 1996. This final rule is being submitted to the Senate, House, and Government Accountability Office.

#### List of Subjects

##### 18 CFR Part 250

Natural gas, Reporting and recordkeeping requirements.

##### 18 CFR Part 385

Administrative practice and procedure, Electric power, Penalties, Pipelines, Reporting and recordkeeping requirements.

By the Commission.

Issued: January 5, 2024.

**Debbie-Anne A. Reese,**  
Acting Secretary.

In consideration of the foregoing, the Commission amends parts 250 and 385, chapter I, title 18, *Code of Federal Regulations* as follows:

#### PART 250—FORMS

- 1. The authority citation for part 250 continues to read as follows:

**Authority:** 15 U.S.C. 717–717w, 3301–3432; 42 U.S.C. 7101–7352; 28 U.S.C. 2461 note.

- 2. Amend § 250.16 by revising paragraph (e)(1) to read as follows:

##### § 250.16 Format of compliance plan for transportation services and affiliate transactions.

\* \* \* \* \*

(e) \* \* \*

(1) Any person who transports gas for others pursuant to subpart B or G of part 284 of this chapter and who knowingly violates the requirements of §§ 358.4 and 358.5 of this chapter, this section, or § 284.13 of this chapter will be subject, pursuant to sections 311(c), 501, and 504(b)(6) of the Natural Gas Policy Act of 1978, to a civil penalty, which the Commission may assess, of not more than \$1,544,521 for any one violation.

\* \* \* \* \*

#### PART 385—RULES OF PRACTICE AND PROCEDURE

- 3. The authority citation for part 385 continues to read as follows:

**Authority:** 5 U.S.C. 551–557; 15 U.S.C. 717–717w, 3301–3432; 16 U.S.C. 791a–825v, 2601–2645; 28 U.S.C. 2461; 31 U.S.C. 3701, 9701; 42 U.S.C. 7101–7352, 16441, 16451–16463; 49 U.S.C. 60502; 49 App. U.S.C. 1–85 (1988); 28 U.S.C. 2461 note (1990); 28 U.S.C. 2461 note (2015).

- 4. Amend § 385.1504 by revising paragraph (a) to read as follows:

##### § 385.1504 Maximum civil penalty (Rule 1504).

(a) Except as provided in paragraph (b) of this section, the Commission may assess a civil penalty of up to \$27,893 for each day that the violation continues.

\* \* \* \* \*

- 5. Revise § 385.1602 to read as follows:

##### § 385.1602 Civil penalties, as adjusted (Rule 1602).

The current inflation-adjusted civil monetary penalties provided by law within the jurisdiction of the Commission are:

(a) 15 U.S.C. 3414(b)(6)(A)(i), Natural Gas Policy Act of 1978: \$1,544,521 per violation, per day.

(b) 16 U.S.C. 823b(c), Federal Power Act: \$27,893 per violation, per day.

(c) 16 U.S.C. 825n(a), Federal Power Act: \$3,643 per violation.

(d) 16 U.S.C. 825o–1(b), Federal Power Act: \$1,544,521 per violation, per day.

(e) 15 U.S.C. 717t–1, Natural Gas Act: \$1,544,521 per violation, per day.

(f) 49 App. U.S.C. 6(10) (1988), Interstate Commerce Act: \$1,617 per offense and \$78 per day after the first day.

(g) 49 App. U.S.C. 16(8) (1988), Interstate Commerce Act: \$16,170 per violation, per day.

(h) 49 App. U.S.C. 19a(k) (1988), Interstate Commerce Act: \$1,617 per offense, per day.

(i) 49 App. U.S.C. 20(7)(a) (1988), Interstate Commerce Act: \$1,617 per offense, per day.

[FR Doc. 2024–00425 Filed 1–10–24; 8:45 am]

#### BILLING CODE P

#### DEPARTMENT OF HOMELAND SECURITY

##### U.S. Customs and Border Protection

#### DEPARTMENT OF THE TREASURY

##### 19 CFR Part 12

[CBP Dec. 24–01]

RIN 1515–AE87

#### Extension of Import Restrictions Imposed on Certain Archaeological Material From China

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the U.S. Customs and Border Protection (CBP) regulations to extend import restrictions on certain archaeological material from China. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has made the requisite determinations for extending the import restrictions, which were originally imposed by CBP Dec. 09–03 and last extended by CBP Dec. 19–02.

Accordingly, these import restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to reflect this further extension through January 14, 2029.

**DATES:** Effective January 14, 2024.

**FOR FURTHER INFORMATION CONTACT:** For legal aspects, W. Richmond Beevers, Chief, Cargo Security, Carriers and Restricted Merchandise Branch, Regulations and Rulings, Office of Trade, (202) 325–0084, [otrrculturalproperty@cbp.dhs.gov](mailto:otrrculturalproperty@cbp.dhs.gov). For operational aspects, Julie L. Stoeber, Chief, 1USG Branch, Trade Policy and Programs, Office of Trade, (202) 945–7064, [1USGBranch@cbp.dhs.gov](mailto:1USGBranch@cbp.dhs.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Convention on Cultural Property Implementation Act (Pub. L. 97–446, 19 U.S.C. 2601 *et seq.*) (CPIA), which implements the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (823 U.N.T.S. 231 (1972)) (the Convention), allows for the conclusion of an agreement between the United States and another party to the Convention to impose import restrictions on eligible archaeological and ethnological materials. Under the CPIA and the applicable U.S. Customs and Border Protection (CBP) regulations, found in § 12.104 of title 19 of the Code of Federal Regulations (19 CFR 12.104), the restrictions are effective for no more than five years beginning on the date on which an agreement enters into force with respect to the United States (19 U.S.C. 2602(b)). This period may be extended for additional periods, each extension not to exceed five years, if it is determined that the factors justifying the initial agreement still pertain and no cause for suspension of the agreement exists (19 U.S.C. 2602(e); 19 CFR 12.104g(a)).

On January 14, 2009, the United States entered into a bilateral agreement with the People’s Republic of China (China) to impose import restrictions on

certain archaeological material representing China's cultural heritage from the Paleolithic Period (c. 75,000 B.C.) through the end of the Tang Period (A.D. 907), and monumental sculpture and wall art at least 250 years old. On January 16, 2009, CBP published a final rule (CBP Dec. 09–03) in the **Federal Register** (74 FR 2838), which amended 19 CFR 12.104g(a) to reflect the imposition of these restrictions, including a list designating the types of archaeological materials covered by the restrictions.

The import restrictions were subsequently extended two more times in accordance with 19 U.S.C. 2602(e) and 19 CFR 12.104g(a), and the designated list was amended once. On January 13, 2014, CBP published a final rule (CBP Dec. 14–02) in the **Federal Register** (79 FR 2088), which amended § 12.104g(a) to reflect the extension of these import restrictions for an additional five years. By request of China, this document also amended the Designated List to clarify that the restrictions as to monumental sculpture and wall art at least 250 years old were to be calculated as of January 14, 2009, the date the agreement became effective.

Subsequently, on January 10, 2019, the United States and China entered into a new memorandum of understanding (2019 MOU), that superseded and replaced the prior agreement, extending the import restrictions for an additional five years. The new MOU added a new subcategory of glass objects from the Zhou period through the Tang period and revised the Designated List of cultural property described in CBP Dec. 14–02. On January 14, 2019, CBP published a final rule (CBP Dec. 19–02) in the **Federal Register** (84 FR 107), which amended § 12.104g(a) to reflect the extension of these import restrictions for an additional five years and amended the Designated List to include the new subcategory of glass objects from the Zhou period through the Tang Period. These import restrictions are due to expire on January 14, 2024.

On May 19, 2023, the United States Department of State proposed in the **Federal Register** (88 FR 32264) to extend the 2019 MOU. On November 14, 2023, after considering the views and recommendations of the Cultural Property Advisory Committee, the Acting Assistant Secretary for Educational and Cultural Affairs, United States Department of State, made the necessary determinations to extend the import restrictions for an additional five years. Following an exchange of

diplomatic notes, the United States Department of State and the Government of the People's Republic of China have agreed to extend the restrictions for an additional five-year period, through January 14, 2029.

Accordingly, CBP is amending 19 CFR 12.104g(a) to reflect the extension of these import restrictions. The restrictions on the importation of archaeological material from China will continue in effect through January 14, 2029. Importation of such material from China continues to be restricted through that date unless the conditions set forth in 19 U.S.C. 2606 and 19 CFR 12.104c are met.

The Designated List and additional information may also be found at the following website address: <https://eca.state.gov/cultural-heritage-center/cultural-property-advisory-committee/current-import-restrictions> by selecting the material for “China.”

#### **Inapplicability of Notice and Delayed Effective Date**

This amendment involves a foreign affairs function of the United States and is, therefore, being made without notice or public procedure under 5 U.S.C. 553(a)(1). For the same reason, a delayed effective date is not required under 5 U.S.C. 553(d)(3).

#### **Executive Orders 12866 and 13563**

Executive Orders 12866 (as amended by Executive Order 14994) and 13563 direct agencies to assess the 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, of reducing costs, of harmonizing rules, and of promoting flexibility. CBP has determined that this document is not a regulation or rule subject to the provisions of Executive Orders 12866 and 13563 because it pertains to a foreign affairs function of the United States, as described above, and therefore is specifically exempted by section 3(d)(2) of Executive Order 12866 and, by extension, Executive Order 13563.

#### **Regulatory Flexibility Act**

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, requires an agency to prepare and make available to the public a regulatory flexibility analysis

that describes the effect of a proposed rule on small entities (*i.e.*, small businesses, small organizations, and small governmental jurisdictions) when the agency is required to publish a general notice of proposed rulemaking for a rule. Since a general notice of proposed rulemaking is not necessary for this rule, CBP is not required to prepare a regulatory flexibility analysis for this rule.

#### **Signing Authority**

This regulation is being issued in accordance with 19 CFR 0.1(a)(1) pertaining to the Secretary of the Treasury's authority (or that of the Secretary's delegate) to approve regulations related to customs revenue functions.

Troy A. Miller, the Senior Official Performing the Duties of the Commissioner, having reviewed and approved this document, has delegated the authority to electronically sign this document to the Director (or Acting Director, if applicable) of the Regulations and Disclosure Law Division for CBP, for purposes of publication in the **Federal Register**.

#### **List of Subjects in 19 CFR Part 12**

Cultural property, Customs duties and inspection, Imports, Prohibited merchandise, and Reporting and recordkeeping requirements.

#### **Amendment to the CBP Regulations**

For the reasons set forth above, part 12 of title 19 of the Code of Federal Regulations (19 CFR part 12), is amended as set forth below:

#### **PART 12—SPECIAL CLASSES OF MERCHANDISE**

■ 1. The general authority citation for part 12 and the specific authority citation for § 12.104g continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

\* \* \* \* \*

Sections 12.104 through 12.104i also issued under 19 U.S.C. 2612;

\* \* \* \* \*

■ 2. In § 12.104g, amend the table in paragraph (a) by revising the entry for the People's Republic of China to read as follows:

**§ 12.104g Specific items or categories designated by agreements or emergency actions.**

(a) \* \* \*

State party	Cultural property	Decision No.
*	*	*
People's Republic of China.	Archaeological materials representing China's cultural heritage from the Paleolithic Period (c. 75,000 B.C.) through the end of the Tang Period (A.D. 907) and monumental sculpture and wall art at least 250 years old as of January 14, 2009.	CBP Dec. 19–02, extended by CBP Dec. 24–01.
*	*	*

\* \* \* \* \*

**Robert F. Altneu,**  
*Director, Regulations and Disclosure Law Division, Regulations and Rulings, Office of Trade, U.S. Customs and Border Protection.*

Approved:  
**Thomas C. West, Jr.,**  
*Deputy Assistant Secretary of the Treasury for Tax Policy.*  
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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**20 CFR Part 655**

**Office of Workers' Compensation Programs**

**20 CFR Parts 702, 725, and 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, 810, and 825**

**Occupational Safety and Health Administration**

**29 CFR Part 1903**

**Mine Safety and Health Administration**

**30 CFR Part 100**

**RIN 1290–AA48**

**Federal Civil Penalties Inflation Adjustment Act Annual Adjustments for 2024**

**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 2024 annual adjustments for inflation to its civil monetary penalties.

**DATES:** This final rule is effective on January 15, 2024. As provided by the Inflation Adjustment Act, the increased penalty levels apply to any penalties assessed after January 15, 2024.

**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:**

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**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