

Date of violation or assessment	Penalty
Violation occurring after Nov. 2, 2015 and penalty assessed after Aug. 1, 2016	18,936

(b) This remedy shall be in addition to any other remedy available under statutory or common law.

PART 2636—LIMITATIONS ON OUTSIDE EARNED INCOME, EMPLOYMENT AND AFFILIATIONS FOR CERTAIN NONCAREER EMPLOYEES

■ 6. The authority citation for part 2636 is revised to read as follows:

Authority: 5 U.S.C. App. (Ethics in Government Act of 1978); Pub. L. 101-410, 104 Stat. 890, 28 U.S.C. 2461 note (Federal Civil Penalties Inflation Adjustment Act of 1990), as amended by Sec. 31001, Pub. L. 104-134, 110 Stat. 1321 (Debt Collection Improvement Act of 1996) and Sec. 701, Pub. L. 114-74 (Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215, as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306.

■ 7. Section 2636.104 is amended by revising paragraph (a) to read as follows:

§ 2636.104 Civil, disciplinary and other action.

(a) *Civil action.* Except when the employee engages in conduct in good faith reliance upon an advisory opinion issued under § 2636.103, an employee who engages in any conduct in violation of the prohibitions, limitations and restrictions contained in this part may be subject to civil action under 5 U.S.C. app. 504(a) and a civil monetary penalty of not more than the amounts set forth below, as adjusted in accordance with the inflation adjustment procedures prescribed in the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended, or the amount of the compensation the individual received for the prohibited conduct, whichever is greater.

Date of violation or assessment	Penalty
Violation occurring before Sept. 29, 1999	\$10,000
Violation occurring between Sept. 29, 1999 and Nov. 2, 2015	11,000
Violation occurring after Nov. 2, 2015 and penalty assessed on or before Aug. 1, 2016	11,000
Violation occurring after Nov. 2, 2015 and penalty assessed after Aug. 1, 2016	18,936

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DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

7 CFR Part 800

Suspension of Supervision Fee Assessment Under the United States Grain Standards Act

AGENCY: Grain Inspection Packers and Stockyards Administration, USDA.

ACTION: Notification of suspension of supervision fee assessment.

SUMMARY: The Department of Agriculture (USDA), Grain Inspection, Packers and Stockyards Administration (GIPSA) is suspending the assessment of fees for supervision of official inspection and weighing services performed by delegated States and/or designated agencies under the United States Grain Standards Act (USGSA).

DATES: This document is effective beginning July 1, 2016, and remains in effect through June 30, 2017.

FOR FURTHER INFORMATION CONTACT: Barry Gomoll by phone at 202-720-8286 or by email at *Barry.L.Gomoll@usda.gov*. Persons with disabilities who require alternative means for communication (Braille, large print, audio tape, etc.) should contact the USDA Target Center at (202) 720-2600 (voice and TDD).

SUPPLEMENTARY INFORMATION: The Agriculture Reauthorizations Act of 2015, Public Law 114-54, amended the USGSA (7 U.S.C. 71-87k) to require GIPSA to adjust fees for the supervision of official grain inspection and weighing in order to maintain an operating reserve of not less than 3 and not more than 6 months (7 U.S.C. 79(j)(4)).

GIPSA's reorganization efforts over the past 10 years have resulted in the centralization of supervision of delegated states and designated agencies. Due to this and other GIPSA cost reduction measures, the operating reserve of GIPSA's account for supervision of official inspection and weighing currently exceeds 6 months by a significant margin. Accordingly, GIPSA is issuing this document to announce the suspension of the fee for supervision of official inspection and weighing services of domestic grain and land carriers to Canada and Mexico performed by delegated States and/or designated agencies. According to the regulations under the USGSA, GIPSA may suspend any provision of the regulations in emergencies or other circumstances which would not impair the objectives of the USGSA (7 CFR 800.2). GIPSA has determined that

suspending supervision fees will not impair the objectives of the USGSA because the operating reserve for supervision services is sufficient to maintain the service without additional funds.

GIPSA will no longer assess the fee of \$0.011 per metric ton of domestic shipments officially inspected and/or weighed, including land carrier shipments to Canada and Mexico, performed by delegated States and/or designated agencies on or after July 1, 2016 (7 CFR 800.71 Schedule B). These fees will remain suspended for one year, at which time GIPSA will reassess the operating reserve for supervision of official agency inspection and weighing.

Official inspection agencies may no longer pass the suspended supervision fee on to their customers. Agencies which list GIPSA supervision fees as a line item on their fee schedules must eliminate the fee. Agencies which include supervision fees as a part of fees that they charge to their customers must either reduce fees by the amount of the suspended fee or provide justification and detailed cost information for retaining current fees. All agencies must submit revised fee schedules for GIPSA approval (7 CFR 800.70).

Larry Mitchell,
Administrator, Grain Inspection, Packers and Stockyards Administration.

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DEPARTMENT OF ENERGY

10 CFR Parts 207, 218, 429, 431, 490, 501, 601, 820, 824, 851, 1013, 1017, and 1050

RIN 1990-AA46

Inflation Adjustment of Civil Monetary Penalties

AGENCY: Office of the General Counsel, U.S. Department of Energy.

ACTION: Interim final rule.

SUMMARY: The Department of Energy ("DOE") publishes this interim final rule to adjust DOE's civil monetary penalties ("CMPs") for inflation as mandated by the Federal Civil Penalties Inflation Adjustment Act of 1990, as further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (collectively referred to herein as "the Act"). This rule adjusts CMPs within the jurisdiction of DOE to the maximum amount required by the Act.