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List of Subjects

2 CFR Part 3474

Accounting; Administrative practice and procedure; Adult education; Aged; Agriculture; American Samoa; Bilingual education; Blind; Business and industry; Civil rights; Colleges and universities; Communications; Community development; Community facilities; Copyright; Credit; Cultural exchange programs; Educational facilities; Educational research; Education; Education of disadvantaged; Education of individuals with disabilities; Educational study programs; Electric power; Electric power rates; Electric utilities; Elementary and secondary education; Energy conservation; Equal educational opportunity; Federally affected areas; Government contracts; Grant programs; Grant programs-agriculture; Grant programs-business and industry; Grant programs-communications; Grant programs-education; Grant programs-energy; Grant programs-health; Grant programs-housing and community development; Grant programs-social programs; Grant administration; Guam; Home improvement; Homeless; Hospitals; Housing; Human research subjects; Indians; Indians-education; Infants and children; Insurance; Intergovernmental relations; International organizations; Inventions and patents; Loan programs; Loan programs social programs; Loan programs-agriculture; Loan programs-business and industry; Loan programs-communications; Loan programs-energy; Loan programs-health; Loan programs-housing and community development; Manpower training programs; Migrant labor; Mortgage insurance; Nonprofit organizations; Northern Mariana Islands; Pacific Islands Trust Territories; Privacy; Renewable Energy; Reporting and recordkeeping requirements; Rural areas; Scholarships and fellowships; School construction; Schools; Science and technology; Securities; Small businesses; State and local governments; Student aid; Teachers; Telecommunications; Telephone; Urban areas; Veterans; Virgin Islands;

Vocational education; Vocational rehabilitation; Waste treatment and disposal; Water pollution control; Water resources; Water supply; Watersheds; Women.

34 CFR Part 99

Administrative practice and procedure; Privacy; Reporting and recordkeeping requirements; Students.

34 CFR Part 200

Elementary and secondary education; Grant programs-education; Indians-education; Infants and children; Juvenile delinquency; Migrant labor; Private schools; Reporting and recordkeeping requirements.

34 CFR Part 299

Administrative practice and procedure; Elementary and secondary education; Grant programs-education; Private schools; Reporting and recordkeeping requirements.

Dated: January 26, 2017.

Philip H. Rosenfelt,

Acting Secretary of Education.

[FR Doc. 2017-02056 Filed 1-27-17; 8:45 am]

BILLING CODE 4000-01-P

FARM CREDIT SYSTEM INSURANCE CORPORATION

12 CFR Part 1411

RIN 3055-AA13

Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation

AGENCY: Farm Credit System Insurance Corporation.

ACTION: Final rule.

SUMMARY: This rule implements inflation adjustments to civil money penalties (CMPs) that the Farm Credit System Insurance Corporation (FCSIC) may impose under the Farm Credit Act of 1971, as amended. These adjustments are required by 2015 amendments to the Federal Civil Penalties Inflation Adjustment Act of 1990.

DATES: This rule will become effective January 30, 2017.

FOR FURTHER INFORMATION CONTACT: Howard Rubin, General Counsel, Farm Credit System Insurance Corporation, 1501 Farm Credit Drive, McLean, Virginia 22102, (703) 883-4380, TTY (703) 883-4390.

SUPPLEMENTARY INFORMATION:

A. Background

The Federal Civil Penalties Inflation Adjustment Act Improvements Act of

2015 (the 2015 Act) amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (the Inflation Adjustment Act)¹ to improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. The Inflation Adjustment Act provides for the regular evaluation of CMPs and requires FCSIC, and every other Federal agency with authority to impose CMPs, to ensure that CMPs continue to maintain their deterrent values.²

FCSIC must enact regulations that annually adjust its CMPs pursuant to the inflation adjustment formula of the amended Inflation Adjustment Act and rounded using a method prescribed by the Inflation Adjustment Act. The new amounts will apply to penalties assessed on or after the effective date of this rule. Agencies do not have discretion in choosing whether to adjust a CMP, by how much to adjust a CMP, or the methods used to determine the adjustment.

B. CMPs Imposed Pursuant to Section 5.65 of the Farm Credit Act

First, section 5.65(c) of the Farm Credit Act, as amended (Act), provides that any insured Farm Credit System bank that willfully fails or refuses to file any certified statement or pay any required premium shall be subject to a penalty of not more than \$100 for each day that such violations continue, which penalty FCSIC may recover for its use.³ Second, section 5.65(d) of the Act provides that, except with the prior written consent of the Farm Credit Administration, it shall be unlawful for any person convicted of any criminal offense involving dishonesty or a breach of trust to serve as a director, officer, or employee of any System institution.⁴ For each willful violation of section 5.65(d), the institution involved shall be subject to a penalty of not more than \$100 for each day during which the violation continues, which FCSIC may recover for its use.

FCSIC's current § 1411.1 provides that FCSIC can impose a maximum penalty

¹ Public Law 101-410, Oct. 5, 1990, 104 Stat. 890, as amended by Public Law 104-134, title III, sec. 31001(s)(1), Apr. 26, 1996, 110 Stat. 1321-373; Public Law 105-362, title XIII, sec. 1301(a), Nov. 10, 1998, 112 Stat. 3293; Public Law 114-74, title VII, sec. 701(b), Nov. 2, 2015, 129 Stat. 599.

² Under the amended Inflation Adjustment Act, a CMP is defined as any penalty, fine, or other sanction that: (1) Either is for a specific monetary amount as provided by Federal law or has a maximum amount provided for by Federal law; (2) is assessed or enforced by an agency pursuant to Federal law; and (3) is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts. All three requirements must be met for a fine to be considered a CMP.

³ 12 U.S.C. 2277a-14(c).

⁴ 12 U.S.C. 2277a-14(d).

of \$198 per day for a violation under section 5.65(c) and (d) of the Act.

C. Required Adjustments

The 2015 Act requires agencies to make annual adjustments for inflation. Annual inflation adjustments are based on the percent change between the October Consumer Price Index for all Urban Consumers (CPI-U) preceding the date of the adjustment, and the prior year's October CPI-U. In this case, the change between the October 2016 CPI-U (241.729) and the October 2015 CPI-U (237.838) = 1.01636. Multiplying 1.01636 times the current penalty amount of \$198, after rounding to the nearest dollar as required by the 2015 Act, results in a new penalty amount of \$201.

D. Notice and Comment Not Required by Administrative Procedure Act

In accordance with the 2015 Act, Federal agencies shall adjust civil monetary penalties “notwithstanding” Section 553 of the Administrative Procedures Act. This means that public procedure generally required for agency rulemaking—notice, an opportunity for comment, and a delay in effective date—is not required for agencies to issue regulations implementing the annual adjustment.

List of Subjects in 12 CFR Part 1411

Banks, banking, Civil money penalties, Penalties.

For the reasons stated in the preamble, part 1411 of chapter XIV, title 12 of the Code of Federal Regulations is amended to read as follows:

PART 1411—RULES OF PRACTICE AND PROCEDURE

■ 1. The authority citation for part 1411 is revised to read as follows:

Authority: 12 U.S.C. 2277a–7(10), 2277a–14(c) and (d); 28 U.S.C. 2461 *note*.

■ 2. Revise § 1411.1 to read as follows:

§ 1411.1 Inflation adjustment of civil money penalties for failure to file a certified statement, pay any premium required or obtain approval before employment of persons convicted of criminal offenses.

In accordance with the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended, a civil money penalty imposed pursuant to section 5.65(c) or (d) of the Farm Credit Act of 1971, as amended, shall not exceed \$201 per day for each day the violation continues.

Dated: January 12, 2017.

Dale L. Aultman,

Secretary to the Board, Farm Credit System Insurance Corporation.

[FR Doc. 2017–01033 Filed 1–27–17; 8:45 am]

BILLING CODE 6710–01–P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1112 and 1228

[Docket No. CPSC–2014–0018]

Safety Standard for Sling Carriers

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Danny Keysar Child Product Safety Notification Act, section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA), requires the United States Consumer Product Safety Commission (Commission or CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be “substantially the same as” applicable voluntary standards, or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. The Commission is issuing a safety standard for infant slings (sling carriers) in response to the direction of section 104(b) of the CPSIA. In addition, the Commission is amending its regulations regarding third party conformity assessment bodies to include the mandatory standard for slings in the list of Notices of Requirements (NOR) issued by the Commission.

DATES: This rule is effective January 30, 2018. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of January 30, 2018.

FOR FURTHER INFORMATION CONTACT: Daniel Dunlap, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone: 301–504–7733; email: ddunlap@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background and Statutory Authority

The CPSIA was enacted on August 14, 2008. Section 104(b) of the CPSIA, part of the Danny Keysar Child Product Safety Notification Act, requires the Commission to: (1) Examine and assess the effectiveness of voluntary consumer product safety standards for durable infant or toddler products, in

consultation with representatives of consumer groups, juvenile product manufacturers, and independent child product engineers and experts; and (2) promulgate consumer product safety standards for durable infant or toddler products. Standards issued under section 104 are to be “substantially the same as” the applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product.

The term “durable infant or toddler product” is defined in section 104(f)(1) of the CPSIA as “a durable product intended for use, or that may be reasonably expected to be used, by children under the age of 5 years.” Section 104(f)(1)(H) provides that the term “durable infant or toddler product” includes “infant carriers.”

In this document, the Commission is issuing a safety standard for sling carriers.¹ Section 104(f)(2)(H) of the CPSIA lists “infant carriers” as one of the categories of durable infant or toddler products. As indicated by a review of ASTM’s standards and retailers’ Web sites, the category of “infant carriers” includes hand-held infant carriers, soft infant carriers, frame backpack carriers, and sling carriers. The Commission has issued final rules for three types of infant carriers: Hand-held infant carriers (78 FR 73415 (December 6, 2013)), soft infant carriers (78 FR 20511 (April 5, 2013)) and frame carriers (80 FR 11113 (March 2, 2015)). In the Commission’s product registration card rule identifying additional products that the Commission considers durable infant or toddler products necessitating compliance with the product registration card requirements, the Commission specifically identified “infant slings,” or sling carriers, as a durable infant or toddler product. 76 FR 68668 (December 29, 2009). Accordingly, 16 CFR 1130.2(a)(18) now specifically identifies “infant slings” as a durable infant or toddler product. At the notice of proposed rulemaking (NPR) stage, the staff briefing package for the proposed rule included a detailed technical analysis of the durability of sling carriers, which concluded that sling carriers are durable

¹ The Commission voted 3–2 to publish this notice in the **Federal Register**. Chairman Elliot F. Kaye, Commissioner Robert S. Adler, and Commissioner Marietta S. Robinson voted to approve publication of the final rule. Commissioners Ann Marie Buerkle and Joseph P. Mohorovic voted against publication of the final rule.