

TABLE 1 TO PARAGRAPH (b)(1)

U.S. code citation	Civil monetary penalty description	Date of violation and corresponding penalty			
		10/23/2004 through 10/22/2008	10/23/2008 through 10/22/2012	10/23/2012 through 11/01/2015	11/02/2015 to present
Civil Monetary Penalty Imposed by the Commission in an Administrative Action					
7 U.S.C. 9 (Section 6(c) of the Commodity Exchange Act).	For any person other than a registered entity ¹ .	\$130,000	\$130,000	\$140,000	\$165,227
7 U.S.C. 13a (Section 6b of the Commodity Exchange Act).	For a registered entity ¹ or any of its directors, officers or employees.	\$625,000	\$675,000	\$700,000	\$910,158
Civil Monetary Penalty Imposed by a Federal District Court in a Civil Injunctive Action					
7 U.S.C. 13a–1 (Section 6c of the Commodity Exchange Act).	Any Person	\$130,000	\$140,000	\$140,000	\$182,031

¹ The term “Registered Entity” is defined in 7 U.S.C. 1a (Section 1a of the Commodity Exchange Act).

(2) For manipulation or attempted manipulation violations:

TABLE 1 TO PARAGRAPH (b)(2)

U.S. code citation	Civil monetary penalty description	Date of violation and corresponding penalty			
		10/23/2004 through 05/21/2008	05/22/2008 through 08/14/2011	08/15/2011 through 11/01/2015	11/02/2015 to present
Civil Monetary Penalty Imposed by the Commission in an Administrative Action					
7 U.S.C. 9 (Section 6(c) of the Commodity Exchange Act).	For any person other than a registered entity ¹ .	\$130,000	\$1,000,000	\$1,025,000	\$1,191,842
7 U.S.C. 13a (Section 6b of the Commodity Exchange Act).	For a registered entity ¹ or any of its directors, officers or employees.	\$625,000	\$1,000,000	\$1,025,000	\$1,191,842
Civil Monetary Penalty Imposed by a Federal District Court in a Civil Injunctive Action					
7 U.S.C. 13a–1 (Section 6c of the Commodity Exchange Act).	Any Person	\$130,000	\$1,000,000	\$1,025,000	\$1,191,842

¹ The term “Registered Entity” is defined in 7 U.S.C. 1a (Section 1a of the Commodity Exchange Act).

Issued in Washington, DC, on February 6, 2019, by the Commission.

Robert Sidman,

Deputy Secretary of the Commission.

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

Appendix to Adjustment of Civil Monetary Penalties for Inflation—Commission Voting Summary

On this matter, Chairman Giancarlo, and Commissioners Quintenz, Behnam, Stump, and Berkovitz voted in the affirmative. No Commissioner voted in the negative.

[FR Doc. 2019–01852 Filed 2–8–19; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF THE TREASURY

31 CFR Part 27

Civil Penalty Assessment for Misuse of Department of the Treasury Names, Symbols, Etc.

AGENCY: Department of the Treasury.

ACTION: Direct final rule.

SUMMARY: This rule amends regulations that provide civil penalties for misuse of Department of the Treasury names, symbols, etc. to implement the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015. In particular, this rule adjusts for inflation the maximum amount of the civil monetary penalties that may be assessed under its regulations, and updates the inflation adjustments through 2018 in accordance with instructions from the Office of Management and Budget. In

addition, the regulation is amended to reflect changes in Treasury organizational structure.

DATES: This rule is effective April 12, 2019. Written comments are due on or before March 13, 2019. If the Department receives significant adverse comments, we will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: You may submit comments by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>.

- **Mail:** Richard Dodson, Attorney-Advisor, General Law, Ethics, and Regulation, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220.

Comments received by mail will be considered timely if they are postmarked on or before the comment date. The www.regulations.gov site will accept comments until 11:59 p.m.

eastern time on the comment due date. Received comments, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not enclose any information in your comments or supporting materials that you consider confidential or inappropriate for public disclosure. Properly submitted comments will be available for inspection and downloading at <http://www.regulations.gov>. The Department will consolidate all received comments and make them available without change.

FOR FURTHER INFORMATION CONTACT: Richard Dodson, Attorney-Advisor, General Law, Ethics, and Regulation, 202-622-9949 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:

Discussion

Section 4 of the Federal Civil Penalties Inflation Adjustment Act (1990 Pub. L. 101-410, 104 Stat. 890; 28 U.S.C. 2461 note), as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Pub. L. 114-74, 129 Stat. 599, 28 U.S.C. 2461 note) (collectively, the FCPIA Act), requires each federal agency with statutory authority to assess civil monetary penalties (CMPs) to adjust CMPs for inflation according to a formula described in section 5 of the FCPIA Act. One purpose of the FCPIA Act is to ensure that CMPs continue to maintain their deterrent effect through periodic cost-of-living based adjustments.

The FCPIA Act directs agencies to adjust the level of CMPs for inflation annually, with an initial “catch up” adjustment effective no later than August 1, 2016. Catch-up adjustments are based on the percent change between the Consumer Price Index for all Urban Consumers (CPI-U) for the month of October in the year of the last non-FCPIA-Act-based adjustment and the October 2015 CPI-U. In accordance with the FCPIA Act, however, the amount of the CMP catch-up adjustment shall not exceed 150 percent of the level in effect on November 2, 2015 (the “maximum adjustment”). Annual inflation adjustments will be based on the percent change between the October CPI-U preceding the date of the adjustment and the prior year’s October CPI-U. The FCPIA Act requires agencies to round all CMP levels to the nearest dollar after applying the multiplier.

On February 24, 2016, the Office of Management and Budget (“OMB”) issued written guidance providing

agencies with CPI-U related multipliers to use when adjusting the CMP level or range of CMP levels based on the year the CMP was established or last adjusted by statute or regulation. (*Memorandum for the Heads of Executive Departments and Agencies: Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (OMB Guidance)).

The adjusted civil penalty amounts described in this rule are applicable only to civil penalties assessed after the effective date of this regulation.

Treasury is currently authorized to impose CMPs against persons who have misused the words, titles, abbreviations, initials, symbols, emblems, seals, or badges of the Department, pursuant to 31 U.S.C. 333. The maximum CMPs under this statute were established on August 15, 1994, and have not been adjusted. The maximum CMPs established were \$5,000 for each use of any material in violation of 31 U.S.C. 333(a), and \$25,000 if such use is in a broadcast or telecast.

Adjustment

Pursuant to the OMB Guidance, the relevant inflation factor is 1.67728 for the initial catch-up adjustment. Because application of the factor would result in an adjustment of greater than 150% for both 31 U.S.C. 333 CMPs, the initial adjustment of these penalties is limited to 150%. The relevant inflation factors for 2017 and 2018 are 1.01636 and 1.02041, respectively. OMB Memoranda M-17-11 and M-18-03.

With respect to the \$5,000 CMP, applying the initial 150% adjustment would result in a maximum penalty amount of \$7,500. Multiplying that amount by the 2017 factor of 1.0136 and rounding to the nearest dollar would yield a maximum penalty amount of \$7,623. Finally, applying the 2018 factor of 1.02041 to that amount results in an adjusted maximum penalty amount of \$7,779.

With respect to the \$25,000 CMP, applying the initial 150% adjustment would result in a maximum penalty amount of \$37,500. Multiplying that amount by the 2017 factor of 1.0136 and rounding to the nearest dollar would yield a maximum penalty amount of \$38,114. Finally, applying the 2018 factor of 1.02041 to that amount results in an adjusted maximum penalty amount of \$38,892.

Organizational Changes

Finally, the regulation is updated to reflect changes in organizational structure. References to the United States Customs Service, United States

Secret Service, the Bureau of Alcohol, Tobacco and Firearms, Bureau of the Public Debt, and the Federal Law Enforcement Training Center have been deleted. The Bureau of the Fiscal Service and Commissioner of the Bureau of the Fiscal Service have been added. Because the existing regulation prohibits misuse of the titles of any Treasury organization or official, regardless of whether they are specifically listed, this update makes no substantive change in the coverage or application of the regulation.

Direct Final Procedures

Treasury is issuing this regulation as a direct final rule. The effective date of this rule is April 12, 2019 without further notice, unless Treasury receives written adverse comments before March 13, 2019.

If Treasury receives timely written adverse comments on this regulation, Treasury will withdraw the regulation before its effective date.

Procedural Requirements

Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601-612) does not apply because adjustments under the FCPIA Act are exempt from the requirement to publish a notice of proposed rulemaking.

Regulatory Planning and Review

The rule is not a “significant regulatory action” as defined in Executive Order 12866.

List of Subjects in 31 CFR Part 27

Administrative practice and procedure, Penalties.

For the reasons set out in the preamble, title 31, subtitle A, part 27 of the Code of the Federal Regulations is amended to read as follows:

PART 27—CIVIL PENALTY ASSESSMENT FOR MISUSE OF DEPARTMENT OF THE TREASURY NAMES, SYMBOLS, ETC.

■ 1. The authority citation for part 27 continues to read as follows:

Authority: 31 U.S.C. 321, 333.

■ 2. Amend § 27.3 by revising paragraphs (a)(1)(i) through (iii) and (c) to read as follows:

§ 27.3 Assessment of civil penalties.

(a) * * *

(1) * * *

(i) The words “Department of the Treasury,” “Internal Revenue Service,” “Bureau of the Fiscal Service,” “Bureau of Engraving and Printing,” “Comptroller of the Currency,”

“Financial Crimes Enforcement Network,” “United States Mint,” “Alcohol and Tobacco Tax and Trade Bureau,” or the name of any other service, bureau, office, or subdivision of the Department of the Treasury;

(ii) The titles “Secretary of the Treasury,” “Treasurer of the United States,” “Commissioner of Internal Revenue,” “Commissioner of the Bureau of the Fiscal Service,” “Director of the Bureau of Engraving and Printing,” “Comptroller of the Currency,” “Director of the Financial Crimes Enforcement Network,” “Director of the United States Mint,” “Administrator of the Alcohol and Tobacco Tax and Trade Bureau,” or the title of any other officer or employee of the Department of the Treasury or subdivision thereof;

(iii) The abbreviations or initials of any entity or title referred to in paragraph (a)(1)(i) or (ii) of this section, including but not limited to “IRS,” “BFS,” “TTB,” and “FINCEN” or “FinCEN”;

* * * * *

(c) *Civil penalty.* An assessing official may impose a civil penalty on any person who violates the provisions of paragraph (a) of this section. The amount of a civil monetary penalty shall not exceed \$7,779 for each and every use of any material in violation of paragraph (a), except that such penalty shall not exceed \$38,892 for each and every use if such use is in a broadcast or telecast.

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Ryan D. Brady,

Executive Secretary.

[FR Doc. 2019-01926 Filed 2-8-19; 8:45 am]

BILLING CODE P

POSTAL SERVICE

39 CFR Part 20

International Mailing Services: Mailing Services Product and Price Changes—CPI

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: On October 17, 2018, the Postal Service published proposed product and price changes to reflect a notice of price adjustments filed with the Postal Regulatory Commission (PRC). The PRC found that price adjustments contained in the Postal Service’s notice could go into effect on January 27, 2019. The Postal Service has revised Notice 123, *Price List* to reflect the new prices and Mailing Standards of the United States Postal Service,

International Mail Manual (IMM®) to reflect the product changes.

DATES: Effective February 11, 2019.

FOR FURTHER INFORMATION CONTACT: Paula Rabkin at 202-268-2537.

SUPPLEMENTARY INFORMATION:

I. Proposed Rule and Response

On October 10, 2018, the Postal Service filed a notice with the PRC in Docket No. R2019-1 of mailing services price adjustments, effective on January 27, 2019. On October 27, 2018, the USPS® published a notice of proposed product and price changes in the **Federal Register** entitled “International Mailing Services: Proposed Product and Price Changes—CPI” (83 FR 52351). The notice included price changes that the Postal Service would adopt for products and services covered by Mailing Standards of the United States Postal Service, *International Mail Manual* (IMM®) and publish in Notice 123, *Price List*, on Postal Explorer® at <https://pe.usps.com>. The Postal Service received no comments.

By notice filed on October 10, 2018, in PRC Docket No. MC2019-4, the Postal Service proposed to update country names throughout mailing standards, changing Great Britain and Northern Ireland to United Kingdom of Great Britain and Northern Ireland and changing Swaziland to Eswatini.

In its proposed rule, the Postal Service also took notice that on October 10, 2018, we had filed a notice with the PRC in Docket No. MC2019-3. In that filing we proposed a change in the maximum weight limit for First-Class Mail International (FCMI) large envelopes (flats) to 15.994 ounces, in lieu of the current 64 ounce limit. This change would more closely align the Postal Service’s definition of FCMI large envelopes (flats) with the Universal Postal Union Convention’s definition, which allows a maximum weight of 500 grams (17.6 ounces) for flat-shaped letter post items. A mailpiece weighing 16 ounces or more that is presented as an FCMI large envelope (flat) would be charged the applicable First-Class Package International Service® price. Alternatively, the mailer could elect to use another class of mail such as Priority Mail Express International® or Priority Mail International®, if the mailpiece meets the requirements for those mail classes.

II. Decision of the Postal Regulatory Commission

As stated in the PRC’s Order No. 4875, issued on November 13, 2018, the PRC found that the prices in the Postal Service’s notice in Docket No. R2019-1

may go into effect on January 27, 2019. The new prices are now posted in Notice 123, on Postal Explorer at <https://pe.usps.com>. The Postal Service published notice of the new prices in the article titled “International Mail: Changes to Pricing for International Mailing Services,” in Postal Bulletin 22509 (12-20-18), page 48, available at <http://about.usps.com/postal-bulletin/2018/pb22509/pb22509.pdf>.

Also, as stated in the PRC’s Order No. 4918, the Commission approved the name changes for the United Kingdom of Great Britain, Northern Ireland, and Eswatini. These changes are also posted in the January 27, 2019, revision of the IMM on Postal Explorer at <https://pe.usps.com>. The Postal Service published notice of both of these changes in the Postal Bulletin on December 20, 2018. See “IMM Revision: Great Britain and Northern Ireland Name Change,” Postal Bulletin 22509 (12-20-18), pages 17-19, available at <http://about.usps.com/postal-bulletin/2018/pb22509/pb22509.pdf>; see also “IMM Revision: Swaziland Name Change,” Postal Bulletin 22509 (12-20-18), pages 20-21, available at <http://about.usps.com/postal-bulletin/2018/pb22509/pb22509.pdf>.

Because the proposed change to FCMI large envelopes (flats) upper weight limit that was the subject of Docket No. MC2019-3 was pending at the time the PRC was scheduled to complete its review in Docket No. R2019-1, the PRC issued an interim order in Docket No. R2019-1. That interim order required the Postal Service to revise its filing in the R2019-1 docket so that the Postal Service’s proposed changes in the R2019-1 docket would not include the proposed revision in the FCMI large envelopes (flats) maximum weight limitation. See PRC Order No. 4859, Interim Order Relating to Outbound Single-Piece First-Class Mail International Flats, Docket No. R2019-1, October 19, 2018. The PRC subsequently approved the updated weight limitation for FCMI large envelopes (flats) in Order No. 4932, issued December 19, 2018. The Postal Service will announce an implementation date for the revised FCMI large envelopes (flats) maximum weight limitation sometime after the January 27, 2019, price change.

List of Subjects in 39 CFR Part 20

Foreign relations, International postal services.

Accordingly, for the reasons stated, the Postal Service has adopted the following changes to Mailing Standards of the United States Postal Service, International Mail Manual (IMM®),