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Office of Personnel Management.

Alexys Stanley,

Regulatory Affairs Analyst.

[FR Doc. 2021-00210 Filed 1-8-21; 8:45 am]

BILLING CODE 6325-46-P

## POSTAL REGULATORY COMMISSION

[Docket No. ACR2020; Order No. 5803]

### Postal Service Performance Report and Performance Plan

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

**SUMMARY:** On December 29, 2020, the Postal Service filed the FY 2020 Performance Report and FY 2021 Performance Plan with its FY 2020 Annual Compliance Report. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* March 1, 2021. *Reply Comments are due:* March 15, 2021.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

#### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

Each year the Postal Service must submit to the Commission its most recent annual performance plan and annual performance report. 39 U.S.C. 3652(g). On December 29, 2020, the Postal Service filed its FY 2020 Annual Report to Congress in Docket No. ACR2020.<sup>1</sup> The FY 2020 Annual Report includes the Postal Service's FY 2020 annual performance report (FY 2020 Report) and FY 2021 annual

performance plan (FY 2021 Plan). FY 2020 Annual Report at 31-57.

The FY 2021 Plan reviews the Postal Service's plans for FY 2021. The FY 2020 Report discusses the Postal Service's progress during FY 2020 toward its four performance goals:

- High-Quality Service
- Excellent Customer Experiences
- Safe Workplace and Engaged Workforce
- Financial Health

Each year, the Commission must evaluate whether the Postal Service met the performance goals established in the annual performance plan and annual performance report. 39 U.S.C. 3653(d). The Commission may also "provide recommendations to the Postal Service related to the protection or promotion of public policy objectives set out in" title 39. *Id.*

Since Docket No. ACR2013, the Commission has evaluated whether the Postal Service met its performance goals in reports separate from the Annual Compliance Determination.<sup>2</sup> The Commission continues this current practice to provide a more in-depth analysis of the Postal Service's progress toward meeting its performance goals and plans to improve performance in future years. To facilitate this review, the Commission invites public comment on the following issues:

- Did the Postal Service meet its performance goals in FY 2020?
- Do the FY 2020 Report and the FY 2021 Plan meet applicable statutory requirements, including 39 U.S.C. 2803 and 2804?
- What recommendations should the Commission provide to the Postal Service that relate to protecting or promoting public policy objectives in title 39?
- What recommendations or observations should the Commission

<sup>2</sup> See Docket No. ACR2013, Postal Regulatory Commission, Review of Postal Service FY 2013 Performance Report and FY 2014 Performance Plan, July 7, 2014; Docket No. ACR2014, Postal Regulatory Commission, Analysis of the Postal Service's FY 2014 Program Performance Report and FY 2015 Performance Plan, July 7, 2015; Docket No. ACR2015, Postal Regulatory Commission, Analysis of the Postal Service's FY 2015 Annual Performance Report and FY 2016 Performance Plan, May 4, 2016; Docket No. ACR2016, Postal Regulatory Commission, Analysis of the Postal Service's FY 2016 Annual Performance Report and FY 2017 Performance Plan, April 27, 2017; Docket No. ACR2017, Postal Regulatory Commission, Analysis of the Postal Service's FY 2017 Annual Performance Report and FY 2018 Performance Plan, April 26, 2018; Docket No. ACR2018, Postal Regulatory Commission, Analysis of the Postal Service's FY 2018 Annual Performance Report and FY 2019 Performance Plan, May 13, 2019; Docket No. ACR2019, Postal Regulatory Commission, Analysis of the Postal Service's FY 2019 Annual Performance Report and FY 2020 Performance Plan, June 1, 2020.

make concerning the Postal Service's strategic initiatives?<sup>3</sup>

- What other matters are relevant to the Commission's analysis of the FY 2020 Report and the FY 2021 Plan under 39 U.S.C. 3653(d)?

#### II. Request for Comments

Comments by interested persons are due no later than March 1, 2021. Reply comments are due no later than March 15, 2021. Pursuant to 39 U.S.C. 505, Katalin K. Clendenin is appointed to serve as Public Representative to represent the interests of the general public in this proceeding with respect to issues related to the Commission's analysis of the FY 2020 Report and the FY 2021 Plan.

#### III. Ordering Paragraphs

##### *It Is Ordered*

1. The Commission invites public comment on the Postal Service's FY 2020 Report and FY 2021 Plan.

2. Pursuant to 39 U.S.C. 505, the Commission appoints Katalin K. Clendenin to serve as Public Representative to represent the interests of the general public in this proceeding with respect to issues related to the Commission's analysis of the FY 2020 Report and the FY 2021 Plan.

3. Comments are due no later than March 1, 2021.

4. Reply comments are due no later than March 15, 2021.

5. The Secretary shall arrange for publication of this Order in the **Federal Register**.

By the Commission.

Erica A. Barker,  
Secretary.

[FR Doc. 2021-00200 Filed 1-8-21; 8:45 am]

BILLING CODE 7710-FW-P

## RAILROAD RETIREMENT BOARD

### Civil Monetary Penalty Inflation Adjustment

AGENCY: Railroad Retirement Board.

ACTION: Notice announcing updated penalty inflation adjustments for civil monetary penalties for 2021.

**SUMMARY:** As required by Section 701 of the Bipartisan Budget Act of 2015, entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the Railroad Retirement Board (Board) hereby publishes its 2021 annual adjustment of civil penalties for inflation.

**FOR FURTHER INFORMATION CONTACT:** Marguerite P. Dadabo, Assistant General

<sup>1</sup> United States Postal Service FY 2020 Annual Report to Congress, Library Reference USPS-FY20-17, December 29, 2020 (FY 2020 Annual Report).

<sup>3</sup> See FY 2020 Annual Report at 55-57.

Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611-1275, (312) 751-4945, TTD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Section 701 of the Bipartisan Budget Act of 2015, Public Law 114-74 (Nov. 2, 2015), entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act), amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) (Inflation Adjustment Act) to require agencies to publish regulations adjusting the amount of civil monetary penalties provided by law within the jurisdiction of the agency not later than January 15th of every year.

For the 2021 annual adjustment for inflation of the maximum civil penalty under the Program Fraud Civil Remedies Act of 1986, the Board applies the formula provided by the 2015 Act and the Board's regulations at Title 20, Code of Federal Regulations, Part 356. In accordance with the 2015 Act, the amount of the adjustment is based on the percent increase between the Consumer Price Index (CPI-U) for the month of October preceding the date of the adjustment and the CPI-U for the October one year prior to the October immediately preceding the date of the adjustment. If there is no increase, there is no adjustment of civil penalties. The percent increase between the CPI-U for October 2020 and October 2019, as provided by Office of Management and Budget Memorandum M-21-10 (December 23, 2020) is 1.01182 percent. Therefore, the new maximum penalty under the Program Fraud Civil Remedies Act is \$11,803 (the 2020 maximum penalty of \$11,665 multiplied by 1.01182, rounded to the nearest dollar). The new minimum penalty under the False Claims Act is \$11,803 (the 2020 minimum penalty of \$11,665 multiplied by 1.01182, rounded to the

nearest dollar), and the new maximum penalty is \$23,607 (the 2020 maximum penalty of \$23,331 multiplied by 1.01182, rounded to the nearest dollar). The adjustments in penalties will be effective January 11, 2021.

Dated: January 6, 2021.

By Authority of the Board.

**Stephanie Hillyard,**

*Secretary to the Board.*

[FR Doc. 2021-00230 Filed 1-8-21; 8:45 am]

**BILLING CODE P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-90853; File No. SR-CBOE-2020-117]

### Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend Certain Rules To Accommodate the Listing and Trading of Index Options With an Index Multiplier of One

January 5, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on December 23, 2020, Cboe Exchange, Inc. ("Exchange" or "Cboe Options") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of this proposed rule change is to amend certain rules to accommodate the listing and trading of

index options with an index multiplier of one ("micro-options").<sup>3</sup>

The text of the proposed rule change is also available on the Exchange's website (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The purpose of this proposed rule change is to amend certain rules to accommodate the listing and trading of index options with an index multiplier of one ("micro-options").<sup>4</sup> The Exchange may list options on indexes that satisfy the initial and maintenance criteria in Rule 4.10, and currently lists options on 19 indexes. The following table lists the current indexes on which the Exchange currently lists options, as well as the current value of the index as of the close of trading on November 25, 2020, which indexes satisfy the initial and maintenance criteria for broad-based, narrow-based indexes, or the specific indexes in Rule 4.10:

Index (option symbol)	Current value
S&P 500 Index (SPX) .....	3629.65
Mini-S&P 500 Index (XSP) .....	362.97
Russell 2000 Index (RUT) .....	1845.02
Cboe Volatility Index (VIX) .....	21.25
Dow Jones Industrial Average (DJX) .....	<sup>5</sup> 29872.47
S&P 100 Index (OEX and XEO) .....	1662.28
S&P 500 ESG Index (SPESG) .....	309.24
S&P Materials Select Sector Index (SIXB) .....	754.63

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> The Exchange intends to file a Form 19b-4(e) with the Commission for any index option it lists for trading with an index multiplier of one pursuant to Rule 19b-4(e) of the Act. As further discussed below, the proposed rule change would also permit the Exchange to list flexible index options ("FLEX

Index Options") with an index multiplier of one ("FLEX Micro Options"). Unless the context otherwise requires, the term "micro-options" as used in this rule filing includes FLEX Micro Options.

<sup>4</sup> The Exchange intends to file a Form 19b-4(e) with the Commission for any index option it lists for trading with an index multiplier of one pursuant

to Rule 19b-4(e) of the Act. As further discussed below, the proposed rule change would also permit the Exchange to list flexible index options ("FLEX Index Options") with an index multiplier of one ("FLEX Micro Options"). Unless the context otherwise requires, the term "micro-options" as used in this rule filing includes FLEX Micro Options.