

“significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on March 31, 2023.

Thomas J. Nichols,

Manager, Aviation Safety, Flight Standards Service, Standards Section, Flight Procedures & Airspace Group, Flight Technologies & Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, 14 CFR part 97 is amended by amending Standard Instrument Approach Procedures and Takeoff Minimums and ODPs, effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

* * * *Effective Upon Publication*

| AIRAC date | State | City | Airport | FDC No. | FDC date | Subject |
|-----------------|-------|------------------|----------------------------------|---------|----------|----------------------------|
| 18–May–23 | MO | Columbia | Columbia Rgnl | 3/4628 | 3/15/23 | ILS OR LOC RWY 2, Amdt 18. |
| 18–May–23 | ND | Lisbon | Lisbon Muni | 3/7354 | 3/14/23 | RNAV (GPS) RWY 14, Orig. |
| 18–May–23 | ND | Lisbon | Lisbon Muni | 3/7356 | 3/14/23 | RNAV (GPS) RWY 32, Orig. |
| 18–May–23 | NE | Broken Bow | Broken Bow Muni/Keith Glaze Fld. | 3/7358 | 3/14/23 | VOR RWY 14, Amdt 4D. |

[FR Doc. 2023–08691 Filed 4–24–23; 8:45 am]

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Parts 1264 and 1271

RIN 2700–AE67

[NASA Document Number: NASA–23–015]

Implementation of the Federal Civil Penalties Inflation Adjustment Act and Adjustment of Amounts for 2023

AGENCY: National Aeronautics and Space Administration.

ACTION: Final rule.

SUMMARY: The National Aeronautics and Space Administration (NASA) has adopted a final rule making inflation adjustments to civil monetary penalties within its jurisdiction. This final rule represents the annual 2023 inflation adjustments of monetary penalties. These adjustments are required by the

Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

DATES: This final rule is effective April 25, 2023.

FOR FURTHER INFORMATION CONTACT:

Bryan R. Diederich, Office of the General Counsel, NASA Headquarters, (202) 358–0216.

SUPPLEMENTARY INFORMATION:

I. Background

The Inflation Adjustment Act, as amended by the 2015 Act, required Federal agencies to adjust the civil penalty amounts within their jurisdiction for inflation by July 1, 2016. Subsequent to the 2016 adjustment, Federal agencies were required to make an annual inflation adjustment by January 15 every year thereafter.¹ Under the amended Act, any increase in a civil penalty made under the Act will apply to penalties assessed after the increase takes effect, including penalties whose associated violation predated the

increase.² The inflation adjustments mandated by the Act serve to maintain the deterrent effect of civil penalties and to promote compliance with the law.

Pursuant to the Act, adjustments to the civil penalties are required to be made by January 15 of each year. The annual adjustments are based on the percent change between the United States Department of Labor’s Consumer Price Index for All Urban Consumers (CPI–U) for the month of October preceding the date of the adjustment and the CPI–U for October of the prior year (28 U.S.C. 2461 note, section (5)(b)(1)). Based on that formula, the cost-of-living adjustment multiplier for the 2023 adjustment is 1.07745. Pursuant to the 2015 Act, adjustments are rounded to the nearest dollar.

II. The Final Rule

This final rule makes the required adjustments to civil penalties for 2023. Applying the 2023 multiplier above, the adjustments for each penalty are summarized below.

| Law | Penalty description | 2022 Penalty | Penalty adjusted for 2023 |
|---|--|--------------|---------------------------|
| Program Fraud Civil Remedies Act of 1986 | Maximum Penalties for False Claims | \$12,537 | \$13,508 |
| Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319. | Minimum Penalty for use of appropriated funds to lobby or influence certain contracts. | 22,021 | 23,727 |

¹ See 28 U.S.C. 2461 note.

² Inflation Adjustment Act section 6, *codified at* 28 U.S.C. 2461 note.

| Law | Penalty description | 2022 Penalty | Penalty adjusted for 2023 |
|---|--|--------------|---------------------------|
| Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319. | Maximum Penalty for use of appropriated funds to lobby or influence certain contracts. | 220,213 | 237,268 |
| Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319. | Minimum penalty for failure to report certain lobbying transactions. | 22,021 | 23,727 |
| Department of the Interior and Related Agencies Appropriations Act of 1989, Public Law 101–121, sec. 319. | Maximum penalty for failure to report certain lobbying transactions. | 220,213 | 237,268 |

This rule codifies these civil penalty amounts by amending parts 1264 and 1271 of title 14 of the CFR.

III. Legal Authority and Effective Date

NASA issues this rule under the Federal Civil Penalties Inflation Adjustment Act of 1990,³ as amended by the Debt Collection Improvement Act of 1996,⁴ and further amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015,⁵ which requires NASA to adjust the civil penalties within its jurisdiction for inflation according to a statutorily prescribed formula.

Section 553 of title 5 of the United States Code generally requires an agency to publish a rule at least 30 days before its effective date to allow for advance notice and opportunity for public comments.⁶ After the initial adjustment for 2016, however, the Civil Penalties Inflation Adjustment Act requires agencies to make subsequent annual adjustments for inflation “notwithstanding section 553 of title 5, United States Code.” Moreover, the 2023 adjustments are made according to a statutory formula that does not provide for agency discretion.

Accordingly, a delay in effectiveness of the 2023 adjustments is not required.

IV. Regulatory Requirements

Executive Orders 12866 and 13563

Executive Orders (E.O.s) 12866 and 13563 direct agencies to assess all 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). E.O. 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This rule is not a significant regulatory action under E.O. 12866 and

was not reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final regulatory flexibility analysis.⁷

Paperwork Reduction Act

No collections of information pursuant to the Paperwork Reduction Act are contained in the final rule.

List of Subjects in 14 CFR Parts 1264 and 1271

Claims, Lobbying, Penalties.

For the reasons stated in the preamble, NASA is amending 14 CFR parts 1264 and 1271 as follows:

PART 1264—IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL PENALTIES ACT OF 1986

■ 1. The authority citation for part 1264 continues to read as follows:

Authority: 31 U.S.C. 3809, 51 U.S.C. 20113(a).

§ 1264.102 [Amended]

■ 2. In § 1264.102, in the undesignated paragraphs following paragraph (a)(1)(iv) and (b)(1)(ii), remove “\$12,537” and add in its place “\$13,508”.

PART 1271—NEW RESTRICTIONS ON LOBBYING

■ 3. The authority citation for part 1271 continues to read as follows:

Authority: Section 319, Pub. L. 101–121 (31 U.S.C. 1352); Pub. L. 97–258 (31 U.S.C. 6301 *et seq.*)

§ 1271.400 [Amended]

■ 4. In § 1271.400:
 ■ a. In paragraphs (a) and (b), remove the words “not less than \$22,021 and not more than \$220,213” and add in their place the words “not less than \$23,727 and not more than \$237,268.”
 ■ b. In paragraph (e), remove the two occurrences of “\$22,021” and add in

their place “\$23,727” and remove “\$220,213” and add in its place “\$237,268”.

Appendix A to Part 1271 [Amended]

■ 5. In appendix A to part 1271:
 ■ a. Remove “\$22,021” everywhere it appears and add in its place “\$23,727.”
 ■ b. Remove “\$220,213” everywhere it appears and add in its place “\$237,268.”

Nanette Smith,

Team Lead, NASA Directives and Regulations.

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket Number USCG–2023–0176]

RIN 1625–AA08

Special Local Regulation; Sail Grand Prix, Season 3 Race Event, San Francisco, CA

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary special local regulation in the navigable waters of the San Francisco Bay in San Francisco, CA in support of the San Francisco Sail Grand Prix, Season 3 race periods. This special local regulation is necessary to provide for the safety of life on these navigable waters and to ensure the safety of mariners transiting the area from the dangers associated with high-speed sailing vessels participating in the Sail Grand Prix race event. This rulemaking will prohibit persons and vessels from entering, transiting through, anchoring, blocking, or loitering within the event area adjacent to the city of San Francisco waterfront near the Golden Gate Bridge and Alcatraz Island, unless authorized by the Captain of the Port San Francisco or a designated representative.

³ Public Law 101–410, 104 Stat. 890 (1990).

⁴ Public Law 104–134, section 31001(s)(1), 110 Stat. 1321, 1321–373 (1996).

⁵ Public Law 114–74, section 701, 129 Stat. 584, 599 (2015).

⁶ See 5 U.S.C. 553(d).

⁷ 5 U.S.C. 603(a), 604(a).