This 30-day delay in effective date can be waived, however, if an agency finds for good cause that the delay is impracticable, unnecessary, or contrary to the public interest, and the agency incorporates a statement of the findings and its reasons in the rule issued.

This document merely corrects technical errors related to one provision in the Program Integrity: Exchange, Premium Stabilization Programs, and Market Standards; Amendments to the HHS Notice of Benefit and Payment Parameters for 2014 final rule that was published on October 30, 2013 and became effective on December 30, 2013. The changes are not substantive changes to the standards set forth in the final rule. Therefore, we believe that undertaking further notice and comment procedures to incorporate these corrections and delay the effective date for these changes is unnecessary. In addition, we believe it is important for the public to have the correct information as soon as possible, and believe it is contrary to the public interest to delay when they become effective. For the reasons stated previously, we find there is good cause to waive notice and comment procedures and the 30-day delay in the effective date for this correction notice.

List of Subjects in 45 CFR Part 153

Administrative practice and procedure, Adverse selection, Health care, Health insurance, Health records, Organization and functions (Government agencies), Premium stabilization, Reporting and recordkeeping requirements, Reinsurance, Risk adjustment, Risk corridors, Risk mitigation, State and local governments.

Accordingly, the Department of Health and Human Services is making the following correcting amendment to 45 CFR part 153.

PART 153—STANDARDS RELATED TO REINSURANCE, RISK CORRIDORS, AND RISK ADJUSTMENT UNDER THE AFFORDABLE CARE ACT

■ 1. The authority citation for part 153 continues to read as follows:

Authority: Secs. 1311, 1321, 1341–1343, Pub. L. 111–148, 24 Stat. 119.

§ 153.530 [Corrected]

■ 2. In § 153.530, remove paragraphs (b)(1)(i) and (b)(1)(ii).

Dated: June 25, 2014.

C'Reda Weeden,

Executive Secretary to the Department, Department of Health and Human Services.

[FR Doc. 2014–15560 Filed 7–1–14; 8:45 am]

BILLING CODE 4120–01–P

FEDERAL MARITIME COMMISSION

46 CFR Part 506

[Docket No. 14–07]

RIN 3072–AC55

Inflation Adjustment of Civil Monetary Penalties

AGENCY: Federal Maritime Commission.

ACTION: Final rule.

SUMMARY: This rule implements the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996. The rule adjusts for inflation the maximum amount of each statutory civil penalty subject to Federal Maritime Commission (Commission) jurisdiction in accordance with the requirements of that Act.

DATES: Effective July 11, 2014.

FOR FURTHER INFORMATION CONTACT: Karen V. Gregory, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Room 1046, Washington, DC 20573, (202) 523–5725.

SUPPLEMENTARY INFORMATION: This rule implements the Debt Collection Improvement Act of 1996 (DCIA), Public Law 104–134, Title III, section 31001(s)(1), April 26, 1996, 110 Stat. 1321–373. The DCIA amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (FCPIAA), Public Law 101–410, Oct. 5, 1990, 104 Stat. 890, 28 U.S.C. 2461 note, to require the head of each executive agency to adopt regulations that adjust the maximum civil monetary penalties (CMPs) assessable under its agency's jurisdiction at least every four years to ensure that they continue to maintain their deterrent value.[1] The Commission last adjusted each CMP subject to its jurisdiction effective July 31, 2009. (74 FR 38114, July 28, 2009).

The inflation adjustment under the FCPIAA is to be determined by increasing the maximum CMP by the cost-of-living, rounded off as set forth in section 5(a) of that Act. The cost-of-living adjustment is the percentage (if any) for each CMP by which the Consumer Price Index (CPI)[2] for the month of June of the calendar year preceding the adjustment, exceeds the CPI for the month of June of the calendar year in which the amount of such CMP was last set or adjusted pursuant to law.

One example of an inflation adjustment is as follows. Section 13 of the Shipping Act of 1984 (1984 Act), 46 U.S.C. 41107, imposes a maximum $25,000 penalty for a knowing and willful violation of the 1984 Act which was inflation adjusted in 2009 to $40,000. First, to calculate the new CMP amounts under the amendment, we determine the appropriate CPI–U for June of the calendar year preceding the adjustment. Given that we are adjusting the CMPs in 2013, we use the CPI–U for June of 2012, which was 229.478. The CPI–U for June of the year the CMP was last adjusted for inflation must also be determined. The Commission last adjusted this CMP in 2009, therefore we use the CPI–U for June of 2009, which was *215.693.* Using those figures, we calculate the cost-of-living adjustment by dividing the CPI–U for June of 2012 *(229.478*) by the CPI–U for June of 2009 (*215.693*). Our result is *1.0639.*

Second, we calculate the raw inflation adjustment (the inflation adjustment prior to rounding) by multiplying the maximum penalty amount by the cost-of-living adjustment. In our example, $40,000 multiplied by the cost-of-living adjustment of *1.0639* equals $*42,556.*

Third, we use the rounding rules set forth in Section 5(a) of the FCIPAA. In order to round only the increase amount, we subtract the current maximum penalty amount ($40,000) from the raw maximum inflation adjustment ($*42,556*), equaling $*2,556.* Under Section 5(a), if the penalty is greater than $10,000 but less than or equal to $100,000, we round the increase to the nearest multiple of $5,000. Therefore, the maximum penalty increase in our example is $5,000.

Finally, the rounded increase is added to the maximum penalty amount last set or adjusted. Here, $40,000 plus $5,000 equals a maximum inflation adjustment penalty amount of $45,000.

A similar calculation was done with respect to each CMP subject to the jurisdiction of the Commission. In compliance with the FCPIAA, as amended, the Commission is hereby amending 46 CFR 506.4(d) of its regulations which sets forth the newly adjusted maximum penalty amounts.

This final rule has been issued without prior public notice or

[1] Increased CMPS are applicable only to violations occurring after the increase takes effect.

[2] The CPI defined in the FCPIAA is the U.S. Department of Labor's Consumer Price Index for all-urban consumers (''CPI–U''). 28 U.S.C. 2461 note (3)(3).

opportunity for public comment. Under the Administrative Procedure Act (APA), 5 U.S.C. § 553(b)(B), a final rule may be issued without that process ''when the agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' In this instance, the Commission finds, for good cause, that solicitation of public comment on this final rule is unnecessary and impractical.

Specifically, the Congress has mandated that the agency periodically make the inflation adjustments and does not allow for the exercise of Commission discretion regarding the substance of the adjustments. The Commission, under the DCIA, is required to make the adjustment to the civil monetary penalties according to a formula specified in the statute. The regulation requires ministerial, technical computations that are noncontroversial. Moreover, the conduct underlying the penalties is already illegal under existing law, and there is no need to provide thirty days prior to the effectiveness of the regulation and amendments to allow for affected parties to correct their conduct. Accordingly, the Commission believes that there is good cause to make this regulation effective immediately upon publication.

The Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996, 5 U.S.C. 801 *et seq.,* generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements, unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Because the Commission has determined that notice and comment are not required under the APA for this rulemaking, the requirements of the RFA do not apply and no regulatory flexibility analysis was prepared.

The rule does not contain any collection of information requirements as defined by the Paperwork Reduction Act of 1995, as amended. Therefore, Office of Management and Budget review is not required.

This regulatory action is not a major rule as defined under 5 U.S.C. 804(2).

List of Subjects in 46 CFR Part 506

Administrative practice and procedure, Penalties.

Part 506 of title 46 of the Code of Federal Regulations is amended as follows:

PART 506—CIVIL MONETARY PENALTY INFLATION ADJUSTMENT

■ 1. The authority citation for part 506 continues to read as follows:

Authority: 28 U.S.C. 2461.

■ 2. In § 506.4, revise paragraph (d) to read as follows:

§ 506.4 Cost of living adjustments of civil monetary penalties.

* * * * *

(d) *Inflation adjustment.* Maximum Civil Monetary Penalties within thejurisdiction of the Federal Maritime Commission are adjusted for inflation as follows:

United States Code citation	Civil Monetary Penalty description	Current maximum penalty amount	New adjusted maximum penalty amount
46 U.S.C. 42304	Adverse impact on U.S. carriers by foreign shipping practices	1,500,000	1,600,000
46 U.S.C. 41107(a)	Knowing and Willful violation/Shipping Act of 1984, or Commission regulation or order.	40,000	45,000
46 U.S.C. 41107(b)	Violation of Shipping Act of 1984, Commission regulation or order, not knowing and willful.	8,000	9,000
46 U.S.C. 41108(b)	Operating in foreign commerce after tariff suspension	75,000	80,000
46 U.S.C. 42104	Failure to provide required reports, etc./Merchant Marine Act of 1920	8,000	$9,000
46 U.S.C. 42106	Adverse shipping conditions/Merchant Marine Act of 1920	1,500,000	1,600,000
46 U.S.C. 42108	Operating after tariff or service contract suspension/Merchant Marine Act of 1920.	75,000	80,000
46 U.S.C. 44102	Failure to establish financial responsibility for non-performance of transportation	8,000 300	9,000 [3] 300
46 U.S.C. 44103	Failure to establish financial responsibility for death or injury	8,000 300	9,000 [4] 300
31 U.S.C. 3802(a)(1)	Program Fraud Civil Remedies Act/makes false claim	8,000	9,000
31 U.S.C. 3802(a)(2)	Program Fraud Civil Remedies Act/giving false statement	8,000	9,000

By the Commission.

Karen V. Gregory,

Secretary.

[FR Doc. 2014–15533 Filed 7–1–14; 8:45 am]

BILLING CODE 6730–01–P

[3] Application of the statutory rounding resulted in no increase to these penalties.

[4] Application of the statutory rounding resulted in no increase to these penalties.

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 233

[Docket No. FRA–2012–0104, Notice No. 2]

RIN 2130–AC44

Signal Systems Reporting Requirements

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: FRA is issuing this final rule as part of a paperwork reduction initiative. The final rule eliminates the regulatory requirement that each railroad carrier file a signal system status report with FRA every five years. FRA believes the report is no longer necessary because FRA receives more updated information regarding railroad signal systems through alternative sources. Separately, FRA is amending the criminal penalty provision in the Signal Systems Reporting Requirements by updating two outdated statutory citations.

DATES: This final rule is effective on September 2, 2014. Petitions for reconsideration must be received by August 21, 2014. Comments in response to petitions for reconsideration must be received by October 6, 2014.

ADDRESSES: Petitions for reconsideration and comments on petitions for reconsideration: Any petitions for reconsideration or comments on petitions for reconsideration related to this Docket No. FRA–2012–0104, Notice No. 2 may be submitted by any of the following methods:

- Federal eRulemaking Portal: Go to *www.Regulations.gov.* Follow the online instructions for submitting comments.
- Mail: Docket Management Facility, U.S. Department of Transportation, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.
- Hand Delivery: Docket Management Facility, U.S. Department of Transportation, West Building, Ground floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC, between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- Fax: (202) 493–2251. Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking.

Please note that all petitions for reconsideration of this final rule and comments on the petitions that are received will be posted without change to *www.Regulations.gov,* including any personal information provided. Please see the discussion under the Privacy Act heading in the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: For access to the docket to read background documents or comments received, go to *www.Regulations.gov* at any time or visit the Docket Management Facility, U.S. Department of Transportation, West Building, Ground floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Sean Crain, Electronic Engineer, Signal and Train Control Division, Office of Railroad Safety, FRA, W35–226, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: (202) 493–6257), *sean.crain@dot.gov,* or Stephen N. Gordon, Trial Attorney, Office of Chief Counsel, FRA, W31–209, 1200 New Jersey Avenue SE., Washington, DC 20590 (telephone: (202) 493–6001), *stephen.n.gordon@dot.gov.*

SUPPLEMENTARY INFORMATION:

I. Explanation of Regulatory Action

A. Elimination of the Signal System Five-[Y]ear Report

On May 14, 2012, President Obama issued Executive Order (E.O.) 13610—Identifying and Reducing Regulatory Burdens, which seeks ''to modernize our regulatory system and to reduce unjustified regulatory burdens and costs.'' *See* 77 FR 28469. The E.O. directs each executive agency to conduct retrospective reviews of its regulatory requirements to identify potentially beneficial modifications to regulations. Executive agencies are to ''give priority, consistent with the law, to those initiatives that will produce significant quantifiable monetary savings or significant quantifiable reductions in paperwork burdens while protecting public health, welfare, safety and our environment.'' *See id.* at 28470.

FRA initiated a review of its existing regulations in accordance with E.O. 13610 and the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.,* with the goal of identifying regulations that can be amended or eliminated, thereby reducing the paperwork and reporting burden on railroad carriers (railroads) that are subject to FRA jurisdiction. One area where FRA believes it can help reduce the railroad industry's reporting burden is by eliminating the requirement to file a ''Signal System Five-Year Report.'' 49 CFR 233.9 (§ 233.9). Accordingly, FRA proposed to do so in a notice of proposed rulemaking (NPRM) published June 19, 2013. *See* 78 FR 36738.

Having considered the public comments on the NPRM, FRA is issuing this final rule, which eliminates the requirement in § 233.9 that each carrier subject to the Signal Systems Reporting Requirements at 49 CFR part 233 (part 233) complete and submit a ''Signal System Five-Year Report'' (Form FRA F6180.47) in accordance with the instructions and definitions on the form. Part 233 applies to railroads that operate on standard gage track that is part of the general railroad system of transportation, except for rail rapid transit operations conducted over track that is used exclusively for that purpose and that is not part of the general railroad system of transportation. *See* 49 CFR 233.3, Application; *see also* 49 CFR part 209, app. A, and part 211, app. A, for discussions of the term ''general railroad system of transportation[.]''

The information reported on FRA Form F6180.47 is intended to update FRA on the status of the railroad's signal system. It provides a snapshot of each reporting railroad's signal system every five years, and FRA has historically used the report as a source to monitor changes to signal systems among the Nation's railroads. In particular, the report provides information such as the total road and track mileage for each method of train operation on the reporting railroad (i.e., traffic control, automatic block, timetable and train orders, and non-automatic block) and the total number of interlockings, controlled points, and switch arrangements maintained by the reporting railroad. The report also provides information on the total road and track mileage and the total number of locomotives and motor cars (including multiple unit cars) with automatic train stop, train control, and cab signal systems on the line of the reporting railroad, including foreign locomotives and ''motor cars'' that operate over these installations.

Prior to April 1, 1997, carriers were required to submit a ''Signal System Annual Report'' by April 15 of each year. However, based on a regulatory review, FRA extended the reporting requirement to every five years rather than annually. *See* 61 FR 33871 (July 1, 1996). FRA determined that a five-year reporting period would significantly