

**Executive Order 13175, “Consultation and Coordination With Indian Tribal Governments”**

It has been determined that this rule will not have a substantial effect on Indian tribal governments. This rule does not impose substantial direct compliance costs on one or more Indian tribes, preempt tribal law, or effect the distribution of power and responsibilities between the federal government and Indian tribes.

**List of Subjects in 32 CFR Part 269**

Administrative practice and procedure, Penalties.

Accordingly, 32 CFR part 269 is amended as follows.

**PART 269—[AMENDED]**

■ 1. The authority citation for part 269 continues to read as follows:

**Authority:** 28 U.S.C. 2461 note.

■ 2. In § 269.4, revise paragraph (d) to read as follows:

**§ 269.4 Cost of living adjustments of civil monetary penalties.**

\* \* \* \* \*

(d) *Inflation adjustment.* Maximum civil monetary penalties within the jurisdiction of the Department are adjusted for inflation as follows:

TABLE 1 TO PARAGRAPH (d)

United States Code	Civil monetary penalty description	Maximum penalty amount as of 2021	New adjusted maximum penalty amount
National Defense Authorization Act for FY 2005, 10 U.S.C. 113, note.	Unauthorized Activities Directed at or Possession of Sunken Military Craft.	136,400	144,887.01
10 U.S.C. 1094(c)(1)	Unlawful Provision of Health Care	11,977	12,722.32
10 U.S.C. 1102(k)	Wrongful Disclosure—Medical Records:		
	First Offense	7,082	7,522.71
	Subsequent Offense	47,214	50,152.10
10 U.S.C. 2674(c)(2)	Violation of the Pentagon Reservation Operation and Parking of Motor Vehicles Rules and Regulations.	1,951	2,072.63
31 U.S.C. 3802(a)(1)	Violation Involving False Claim	11,803	12,537.48
31 U.S.C. 3802(a)(2)	Violation Involving False Statement	11,803	12,537.48
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(1)	False claims	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(1)	Claims submitted with a false certification of physician license.	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(2)	Claims presented by excluded party	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(2); (b)(2)(ii).	Employing or contracting with an excluded individual	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(1)	Pattern of claims for medically unnecessary services/supplies.	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(2)	Ordering or prescribing while excluded	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(5)	Known retention of an overpayment	21,112.64	22,426.26
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(4)	Making or using a false record or statement that is material to a false or fraudulent claim.	105,563.18	112,131.32
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(6)	Failure to grant timely access to OIG for audits, investigations, evaluations, or other statutory functions of OIG.	31,669.97	33,640.47
42 U.S.C. 1320a–7a(a); 32 CFR 200.210(a)(3)	Making false statements, omissions, misrepresentations in an enrollment application.	105,563.18	112,131.32
42 U.S.C. 1320a–7a(a); 32 CFR 200.310(a)	Unlawfully offering, paying, soliciting, or receiving remuneration to induce or in return for the referral of business in violation of 1128B(b) of the Social Security Act.	105,563.18	112,131.32

Dated: September 13, 2022.  
**Aaron T. Siegel,**  
*Alternate OSD Federal Register Liaison Officer, Department of Defense.*  
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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2022–0360]

**Drawbridge Operation Regulation; Back Bay of Biloxi, Biloxi, MS**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations; request for comments.

**SUMMARY:** The Coast Guard has issued a temporary deviation from how the CSX Transportation railroad drawbridge across the Back Bay of Biloxi, mile 0.4,

Biloxi, MS will be operated. The bridge will continue to open according to the drawbridge regulations but the bridge tender will operate this bridge from a remote location at the CSX railroad terminal in Mobile, Alabama. The Coast Guard is seeking comments from the public regarding these proposed changes.

**DATES:** This deviation is effective from 7 a.m. September 19, 2022 until March 20, 2023.

Comments and relate material must reach the Coast Guard on or before November 18, 2022.

**ADDRESSES:** You may submit comments identified by docket number USCG–2022–0360 using Federal Decision

Making Portal at <https://www.regulations.gov>.

See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION**: See section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this test deviation, call or email Douglas Blakemore, Eighth Coast Guard District Bridge Administration Branch Chief at (504) 671-2128 or [Douglas.A.Blakemore@uscg.mil](mailto:Douglas.A.Blakemore@uscg.mil).

#### **SUPPLEMENTARY INFORMATION:**

### **I. Background, Purpose and Legal Basis**

The CSX Transportation railroad drawbridge crosses the Back Bay of Biloxi, mile 0.4, Biloxi, MS. The bridge will continue to open according to the drawbridge regulations but the bridge tender will operate this bridge from a remote location at the CSX railroad terminal in Mobile, Alabama. This bridge has a 14-foot vertical clearance at mean high water, an unlimited vertical clearance when in the open to vessel position and a 132-foot horizontal clearance. The bridge operates according to 33 CFR 117.5.

CSX Transportation has requested to operate this bridge remotely from their railroad terminal in Mobile, AL. CSX has installed a remote operation system at the bridge and a remote control center, located in Mobile, AL. At the bridge, CSX has installed infrared cameras, closed circuit cameras and TVs, communication systems and information technology systems on the bridge that allow an operator from Mobile to monitor and control the bridge. This waterway is used primarily by recreational boats and small towing vessels and opens to vessels approximately 6 times per day.

The Coast Guard will evaluate the impact of this test on vessels by analyzing CSX bridge tender logs and public comments.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the test deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedule immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

### **II. Public Participation and Request for Comments**

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

*Submitting comments.* We encourage you to submit comments through the Federal Decision Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2022-0360 in the search box and click “Search.” Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

*View material in the docket.* To view documents mentioned in this deviation as being available in the docket, find the docket as described in the previous paragraph, and then select “Supporting & Related Material” in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. We review all comments received, but we will only post comments that address the topic of this deviation. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published of any posting or updates to the docket.

We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS’s eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

Dated: September 13, 2022.

**Douglas Blakemore**,  
Chief, Bridge Administration Branch, U.S.  
Coast Guard, Eighth Coast Guard District.  
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### **FEDERAL COMMUNICATIONS COMMISSION**

#### **47 CFR Part 73**

[MB Docket No. 21-248; RM-11910-; DA 22-919; FR ID 103525]

#### **Television Broadcasting Services Staunton, Virginia**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** On June 15, 2021, the Media Bureau, Video Division (Bureau) issued a *Notice of Proposed Rulemaking* in response to a petition for rulemaking filed by VPM Media Corporation (VPM or Petitioner), the licensee of WVPT, channel \*11, Staunton, Virginia, requesting the substitution of channel \*15 for channel \*11 at Staunton in the Table of TV Allotments. For the reasons set forth in the *Report and Order* referenced below, the Bureau amends FCC regulations to substitute channel \*15 for channel \*11 at Staunton.

**DATES:** Effective September 19, 2022.

**FOR FURTHER INFORMATION CONTACT:** Joyce Bernstein, Media Bureau, at (202) 418-1647 or [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** The proposed rule was published at 86 FR 34695 on June 30, 2021. The Petitioner filed comments in support of the petition reaffirming its commitment to apply for channel \*15. No other comments were filed.

We find that the public interest would be served by substituting channel \*15 for channel \*11 at Staunton, Virginia. We believe the public interest would be served by substituting channel \*15 for channel \*11 at Staunton, Virginia. As the Petitioner notes, the challenges of digital reception are well-documented and the Commission has recognized the deleterious effects of manmade noise on the reception of digital VHF signals, including VHF channel propagation characteristics that allow undesired signals and noise to be receivable at relatively far distances and nearby electrical devices to cause interference are exacerbated by rugged terrain. The proposed channel \*15 facilities will result in a small loss area when compared to WVPT’s existing service area, largely due to the deep null required for the proposed WVPT-1 site on channel \*15 to protect the NRAO and SGRS (formerly NRRO). However, the Station will continue to serve this area by operating from its current WVPT-3 site as a translator on either channel \*11 (its current licensed channel) or channel \*12 (its current