

#### *D. Small Business Regulatory Enforcement Fairness Act*

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This rule:

(a) Does not have an annual effect on the economy of \$100 million or more.

(b) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.

(c) Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

#### *E. Unfunded Mandates Reform Act*

This rule does not impose an unfunded mandate on State, local, or tribal governments, or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local, or tribal governments or the private sector. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

#### *F. Takings (E.O. 12630)*

This rule does not effect a taking of private property or otherwise have taking implications under Executive Order 12630. A takings implication assessment is not required.

#### *G. Federalism (E.O. 13132)*

Under the criteria in section 1 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement. A federalism summary impact statement is not required.

#### *H. Civil Justice Reform (E.O. 12988)*

This rule complies with the requirements of E. O. 12988. Specifically, this rule:

(a) Meets the criteria of section 3(a) requiring that all regulations be reviewed to eliminate errors and ambiguity and be written to minimize litigation; and

(b) Meets the criteria of section 3(b)(2) requiring that all regulations be written in clear language and contain clear legal standards.

#### *I. Consultation With Indian Tribes (E.O. 13175 and Departmental Policy)*

The Department of the Interior strives to strengthen its government-to-government relationship with Indian tribes through a commitment to consultation with Indian tribes and

recognition of their right to self-governance and tribal sovereignty. We have evaluated this rule under the Department's consultation policy and under the criteria in Executive Order 13175 and have determined that it has no substantial direct effects on federally recognized Indian tribes and that consultation under the Department's tribal consultation policy is not required.

#### *J. Paperwork Reduction Act*

This rule does not contain information collection requirements, and a submission to the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) is not required. We may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

#### *K. National Environmental Policy Act*

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the National Environmental Policy Act of 1969 (NEPA) is not required because the rule is covered by a categorical exclusion. This rule is excluded from the requirement to prepare a detailed statement because it is a regulation of an administrative nature. (For further information see 43 CFR 46.210(i).) We have also determined that the rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.

#### *L. Effects on the Energy Supply (E.O. 13211)*

This rule is not a significant energy action under the definition in Executive Order 13211. A Statement of Energy Effects is not required.

#### *M. Administrative Procedure Act*

The Act requires agencies to publish annual inflation adjustments by no later than January 15 of each year, notwithstanding section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553). OMB has interpreted this direction to mean that the usual APA public procedure for rulemaking—which includes public notice of a proposed rule, an opportunity for public comment, and a delay in the effective date of a final rule—is not required when agencies issue regulations to implement the annual adjustments to civil penalties that the Act requires. Accordingly, we are issuing the 2020 annual adjustments as a final rule without prior notice or an opportunity

for comment and with an effective date immediately upon publication in the **Federal Register**.

#### **List of Subjects in 43 CFR Part 10**

Administrative practice and procedure, Hawaiian Natives, Historic preservation, Indians-claims, Indians-lands, Museums, Penalties, Public lands, Reporting and recordkeeping requirements.

For the reasons given in the preamble, the Office of the Secretary amends 43 CFR part 10 as follows.

### **PART 10—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION REGULATIONS**

■ 1. The authority citation for part 10 continues to read as follows:

**Authority:** 16 U.S.C. 470dd; 25 U.S.C. 9, 3001 *et seq.*

#### **§ 10.12 [Amended]**

■ 2. In § 10.12:

■ a. In paragraph (g)(2) introductory text, remove “\$6,834” and add in its place “\$6,955”.

■ b. In paragraph (g)(3), remove “\$1,368” and add in its place “\$1,392”.

**Rob Wallace,**

*Assistant Secretary for Fish and Wildlife and Parks.*

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### **LEGAL SERVICES CORPORATION**

#### **45 CFR Part 1611**

#### **Income Level for Individuals Eligible for Assistance**

**AGENCY:** Legal Services Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Legal Services Corporation (LSC) is required by law to establish maximum income levels for individuals eligible for legal assistance. This document updates the specified income levels to reflect the annual amendments to the Federal Poverty Guidelines issued by the U.S. Department of Health and Human Services (HHS).

**DATES:** Effective February 13, 2020.

**FOR FURTHER INFORMATION CONTACT:** Stefanie K. Davis, Senior Assistant General Counsel, Legal Services Corporation, 3333 K St. NW, Washington, DC 20007; (202) 295–1563; [sdavis@lsc.gov](mailto:sdavis@lsc.gov).

**SUPPLEMENTARY INFORMATION:** Section 1007(a)(2) of the Legal Services Corporation Act (Act), 42 U.S.C.

2996f(a)(2), requires LSC to establish maximum income levels for individuals eligible for legal assistance. Section 1611.3(c) of LSC's regulations establishes a maximum income level equivalent to 125% of the Federal Poverty Guidelines (Guidelines), which HHS is responsible for updating and issuing. 45 CFR 1611.3(c).

Each year, LSC updates appendix A to 45 CFR part 1611 to provide client income eligibility standards based on the most recent Guidelines. The figures for 2020, set out below, are equivalent to 125% of the Guidelines published by HHS on January 17, 2020.

In addition, LSC is publishing a chart listing income levels that are 200% of

the Guidelines. This chart is for reference purposes only as an aid to recipients in assessing the financial eligibility of an applicant whose income is greater than 125% of the applicable Guidelines amount, but less than 200% of the applicable Guidelines amount (and who may be found to be financially eligible under duly adopted exceptions to the annual income ceiling in accordance with 45 CFR 1611.3, 1611.4, and 1611.5).

Except where there are minor variances due to rounding, the amount by which the guideline increases for each additional member of the household is a consistent amount.

#### List of Subjects in 45 CFR Part 1611

Grant programs—law, Legal services.

For reasons set forth in the preamble, the Legal Services Corporation amends 45 CFR part 1611 as follows:

#### PART 1611—FINANCIAL ELIGIBILITY

■ 1. The authority citation for part 1611 continues to read as follows:

**Authority:** 42 U.S.C. 2996g(e).

■ 2. Revise appendix A to part 1611 to read as follows:

#### Appendix A to Part 1611—Income Level for Individuals Eligible for Assistance

#### LEGAL SERVICES CORPORATION 2020 INCOME GUIDELINES \*

Size of household	48 Contiguous states and the District of Columbia	Alaska	Hawaii
1 .....	\$15,950	\$19,938	\$18,350
2 .....	21,550	26,938	24,788
3 .....	27,150	33,938	31,225
4 .....	32,750	40,938	37,663
5 .....	38,350	47,938	44,100
6 .....	43,950	54,938	50,538
7 .....	49,550	61,938	56,975
8 .....	55,150	68,938	63,413
For each additional member of the household in excess of 8, add:	5,600	7,000	6,438

\* The figures in this table represent 125% of the Federal Poverty Guidelines by household size as determined by HHS.

#### REFERENCE CHART—200% OF FEDERAL POVERTY GUIDELINES \*

Size of household	48 Contiguous states and the District of Columbia	Alaska	Hawaii
1 .....	\$25,520	\$31,900	\$29,360
2 .....	34,480	43,100	39,660
3 .....	43,440	54,300	49,960
4 .....	52,400	65,500	60,260
5 .....	61,360	76,700	70,560
6 .....	70,320	87,900	80,860
7 .....	79,280	99,100	91,160
8 .....	88,240	110,300	101,460
For each additional member of the household in excess of 8, add:	8,960	11,200	10,300

\* The figures in this table represent 200% of the Federal Poverty Guidelines by household size as determined by HHS.

Dated: January 28, 2020.

**Stefanie Davis,**

*Senior Assistant General Counsel.*

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