
¹ 16 CFR 1.98.

² 28 U.S.C. 2461 note.

³ Public Law 104–134, section 31001(s)(1), 110 Stat. 1321–373.

⁴ 28 U.S.C. 2461 note (5)(a).

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⁶ 28 U.S.C. 2461 note (3), (5)(b).

⁷ 61 FR 54,548 (Oct. 21, 1996); 69 FR 76,611 (Dec. 22, 2004); 74 FR 857 (Jan. 9, 2009).

⁸ 65 FR 69,665 (Nov. 20, 2000).

⁹ 28 U.S.C. 2461 note (5)(a)(1)–(6).

¹⁰ 74 FR at 858.

¹¹ The Commission reviewed these civil penalties for potential adjustments in 2000 and 2004, but determined that no adjustments inflation were warranted at that time. 65 FR at 69665; 69 FR at 76612. In 2004, only the civil penalties under section 11(

Commission is adjusting this penalty from \$11,000 to \$12,100.¹³

In addition, the FTC is adjusting civil penalties under section 814(a) of the Energy Independence and Security Act of 2007 ("EISA")¹⁴ The CPI-U has increased from 208.352 in June 2007 to 233.504 in June 2013, or 12.1%.

Applying this percentage increase and the FCPIAA's ten percent cap on initial

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¹³ 28 U.S.C. 2461 note (citing Pub. L. 104-134, section 31001(s)(2), 110 Stat. 1321, 1373 (1996)).

¹⁴ The Commission determined in 2009 that its civil penalty authority under EISA was too recent to warrant adjustment for inflation. 74 FR at 858.

¹⁵ A regulatory flexibility analysis under the RFA is required only when an agency must publish a notice of proposed rulemaking for comment. 5 U.S.C. 603.