

# Rules and Regulations

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### 29 CFR Part 1602

[3046-0007]

#### Reinstatement of Revised EEO-1: Pay Data Collection

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Announcement of immediate reinstatement of revised EEO-1: Pay Data Collection.

**SUMMARY:** The U.S. Equal Employment Opportunity Commission (EEOC) announces immediate reinstatement of the revised EEO-1: Pay Data Collection, and the collection of 2018 pay data (EEO-1 Component 2) from EEO-1 filers by September 30, 2019.

**DATES:** April 30, 2019. The EEOC expects to begin collecting EEO-1 Component 2 data for calendar year 2018 in mid-July 2019.

**FOR FURTHER INFORMATION CONTACT:** Rashida Dorsey, Ph.D., MPH, Director, Data Development and Information Products Division and Senior Advisor on Data Strategy, Office of Enterprise Data and Analytics, Equal Employment Opportunity Commission, 131 M Street NE, Room 4SW32L, Washington, DC 20507; (202) 663-4355 (voice) or (202) 663-7063 (TTY). Requests for this notice in an alternative format should be made to the Office of Communications and Legislative Affairs at (202) 663-4191 (voice) or (202) 663-4494 (TTY).

**SUPPLEMENTARY INFORMATION:** EEO-1 filers should begin preparing to submit Component 2 data for calendar year 2018 by September 30, 2019, in light of the court's recent decision in *National Women's Law Center, et al., v. Office of Management and Budget, et al.*, Civil Action No. 17-cv-2458 (D.D.C.). The EEOC expects to begin collecting EEO-1 Component 2 data for calendar year 2018 in mid-July, 2019, and will notify filers of the precise date the survey will

open as soon as it is available. Filers should continue to use the currently open EEO-1 portal to submit Component 1 data from 2018 by May 31, 2019.

As a result of the court vacating the Office of Management and Budget's stay of Component 2, the EEOC will also collect Component 2 data for either calendar year 2017 or calendar year 2019, and by May 3, 2019, will submit for publication in the **Federal Register** an additional notice announcing its decision.

Because the Component 2 collection has been reinstated by the court, the EEOC's previous **Federal Register** notice, published on September 15, 2017 (82 FR 43362) and announcing the stay of the Component 2 collection, is hereby rescinded.

Dated: April 29, 2019.

For the Commission.

**Victoria A. Lipnic,**

*Acting Chair.*

[FR Doc. 2019-09002 Filed 4-30-19; 8:45 am]

**BILLING CODE 6570-01-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 151

[Docket ID: DOD-2012-OS-0069]

RIN 0790-A189

#### Foreign Criminal and Civil Jurisdiction

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** This rule updates procedures concerning trial by foreign criminal courts, of, and the payment of counsel fees in certain civil cases for individuals referred to collectively in this rule as "dependents of DoD personnel."

Dependents of DoD personnel serving under a U.S. Chief of Mission are not considered to be "dependents of DoD personnel" for the purposes of this rule.

**DATES:** This final rule is effective May 31, 2019.

**FOR FURTHER INFORMATION CONTACT:** Bart Wager, 703-571-9355.

**SUPPLEMENTARY INFORMATION:**

## Public Comments

On Friday, October 19, 2018 (83 FR 53020-53023), the Department of Defense published a proposed rule titled "Foreign Criminal and Civil Jurisdiction" for a 60-day public comment period. Seven commenters provided responses addressing issues that fell within the scope of the rule. These comments are available through the eRulemaking docket, available online at [www.regulations.gov](http://www.regulations.gov), and then navigating to this rulemaking docket, DOD-2012-OS-0069. Although no changes were made to the final rule based on public comment, the Department summarizes the comments and its responses as follows.

Three commenters noted the rule's importance and indicated general support for the rule's protections for dependents of DoD personnel. Two commenters noted implementation would be influenced by the relationship the United States has with the country where DoD personnel are located, and therefore the Department lacked the authority to implement fully the protections described in the rule. DoD acknowledges concerns about the need to rely on the discretion of, and relationship with, foreign countries. The Department believes these issues are addressed by requiring DoD personnel responsible for implementing the rule to work closely with in-country State Department officials. Two commenters expressed concern the rule did not eliminate the possibility of capital punishment in a foreign country for a dependent. DoD acknowledges the concern. However, the United States does not have the authority to eliminate the possibility of a foreign court imposing capital punishment on those affected by the rule.

## Authorities

Taken together, two statutes authorize the Secretary of Defense to issue legally binding guidelines on the Department of Defense. Under 10 U.S.C. 113, the Secretary has "authority, direction, and control" over the Department of Defense. The Department of Defense is an "executive department," and the Secretary, as the head of an "executive department," is empowered under 5 U.S.C. 301 to issue departmental regulations. The General Counsel of the Department of Defense has been delegated authority under Department