

Commission's requirement that certain commonly traded interest rate swaps and credit default swaps be cleared following their execution.<sup>2</sup> The new exemptions may be elected by several classes of counterparties that may enter into these swaps, namely: *Sovereign nations; central banks; "international financial institutions"* of which sovereign nations are members; *bank holding companies*, and *savings and loan holding companies*, whose assets total no more than \$10 billion; and *community development financial institutions* recognized by the U.S. Treasury Department. Today's final rule notes that many of these entities have actually relied on existing relief, electing not to clear swaps that are generally subject to the clearing requirement. I strongly support the policy of international "comity" described in the final rule, recognizing that sovereign nations and their instrumentalities should generally not be subject to the Commission's regulations. I trust that by issuing this rule, the United States, the Federal Reserve, and other U.S. government instrumentalities will receive the same treatment in foreign jurisdictions.

#### Appendix 4—Statement of Commissioner Dan M. Berkovitz

I am voting for the final rule codifying certain limited exemptions from the swap clearing requirement that currently exist through Commission guidance or staff no action relief. The exemptions are consistent with longstanding Commission policies. Analysis of available historical data shows that the number and notional amount of swaps that would be exempted are relatively limited and not likely to materially impact systemic risk. Furthermore, the swaps exempted from clearing will be subject to uncleared swap margin requirements, if applicable, thereby mitigating the risks of not clearing these swaps.

The final rule codifies in rule text exemptions for swaps entered into by foreign central banks, sovereign entities at the national level, and certain international institutions that previously have been exempted from the clearing requirement through no action relief or guidance. In this regard, the final rule represents a proper exercise of international comity in recognition of the governmental nature and non-speculative purposes of these sovereign entities and international institutions.

The final rule also provides clearing exemptions for certain interest rate swaps of community development financial institutions, subject to a number of significant limits, and for swaps entered into by bank or savings and loan holding companies that have no more than \$10 billion in consolidated assets. In each case, the exemption only applies if the swap is used to hedge or mitigate commercial risks. Congress provided in Commodity Exchange Act section 2(h)(7)(C) for an exclusion from the clearing requirement for banks and savings associations with less than \$10 billion in assets to the extent determined by

the Commission. It is appropriate to apply this exemption to the holding companies of these financial entities.

One commenter, Better Markets, expressed concern that the number of entities that will now have an exemption from the clearing requirement has grown over time, leading to the potential for greater risk, reduction in liquidity in cleared markets, and complexity in managing the exemptions. As described in the preamble to the final rule, swap data repository data indicates that over the past several years the number and scope of swaps entered into by these institutions that will be included within the exemptions has been relatively limited. Given this data, these concerns, today, do not outweigh the benefits of the final rule. However, the Commission should periodically review the SDR data to reassess whether the clearing requirement exemptions are cumulatively having a material impact on the extent of swap clearing given the intent of the Dodd-Frank Act. The Commission can then evaluate whether, on a going forward basis, any changes to the exemptions may be warranted.

I commend the staff of the Division of Clearing and Risk for this well developed and drafted final rule. The clarity and completeness of the final release helps establish a sound basis for the Commission to approve the final rule.

[FR Doc. 2020–25394 Filed 11–27–20; 8:45 am]

BILLING CODE 6351–01–P

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### 31 CFR Part 591

#### Publication of Web General Licenses Issued Pursuant to the Venezuela Sanctions Regulations

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Publication of Web General Licenses.

**SUMMARY:** The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing three Venezuela-related web general licenses in the **Federal Register**: General License 5C, which has been superseded, General License 5D, which has been superseded, and General License 5E, each of which was previously issued on OFAC's website.

**DATES:** General License 5E was issued on October 6, 2020 and the authorizations in it will be effective January 19, 2021.

**FOR FURTHER INFORMATION CONTACT:** OFAC: Assistant Director for Licensing, 202–622–2480; Assistant Director for Regulatory Affairs, 202–622–4855; or Assistant Director for Sanctions Compliance & Evaluation, 202–622–2490.

## SUPPLEMENTARY INFORMATION:

### Electronic Availability

This document and additional information concerning OFAC are available on OFAC's website ([www.treasury.gov/ofac](http://www.treasury.gov/ofac)).

### Background

On March 8, 2015, the President, invoking the authority of, *inter alia*, the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), issued Executive Order (E.O.) 13692 of March 8, 2015, "Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela" (80 FR 12747, March 11, 2015). In E.O. 13692, the President found that the situation in Venezuela, including the Government of Venezuela's erosion of human rights guarantees, persecution of political opponents, curtailment of press freedoms, use of violence and human rights violations and abuses in response to antigovernment protests, and arbitrary arrest and detention of antigovernment protestors, as well as the exacerbating presence of significant public corruption, constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States, and declared a national emergency to deal with that threat.

The President has issued six additional Executive Orders pursuant to the national emergency declared in E.O. 13692: E.O. 13808 of August 24, 2017, "Imposing Additional Sanctions With Respect to the Situation in Venezuela" (82 FR 41155, August 29, 2017); E.O. 13827 of March 19, 2018, "Taking Additional Steps to Address the Situation in Venezuela" (83 FR 12469, March 21, 2018); E.O. 13835 of May 21, 2018, "Prohibiting Certain Additional Transactions With Respect to Venezuela" (83 FR 24001, May 24, 2018); E.O. 13850 of November 1, 2018, "Blocking Property of Additional Persons Contributing to the Situation in Venezuela" (83 FR 55243, November 2, 2018); E.O. 13857 of January 25, 2019, "Taking Additional Steps To Address the National Emergency With Respect to Venezuela" (84 FR 509, January 30, 2019); and E.O. 13884 of August 5, 2019, "Blocking Property of the Government of Venezuela" (84 FR 38843, August 7, 2019).

OFAC, in consultation with the Department of State, issued Venezuela-related General License (GL) 5 on July 19, 2018, pursuant to E.O. 13835, to authorize certain transactions related to the Petróleos de Venezuela S.A. 2020 8.5 Percent Bond that were prohibited

<sup>2</sup> The swap clearing requirement is codified in part 50 of the Commission's regulations (17 CFR part 50).

by Subsection 1(a)(iii) of E.O. 13835. On October 24, 2019, OFAC issued GL 5A, which replaced and superseded GL 5. GL 5A delayed until January 22, 2020 the effectiveness of the authorization that was previously contained in GL 5. On January 17, 2020, OFAC issued GL 5B, which replaced and superseded GL 5A. GL 5B further delayed until April 22, 2020 the effectiveness of the authorization that was previously contained in GL 5. On April 10, 2020, OFAC issued GL 5C, which replaced and superseded GL 5B. GL 5C further delayed until July 22, 2020 the effectiveness of the authorization that was previously contained in GL 5. On July 15, 2020, OFAC issued GL 5D, which replaced and superseded GL 5C. GL 5D further delayed until October 20, 2020 the effectiveness of the authorization that was previously contained in GL 5. On October 6, 2020, OFAC issued GL 5E, which replaced and superseded GL 5D. GL 5E further delayed until January 19, 2021 the effectiveness of the authorization that was previously contained in GL 5. As a result, no transactions may be conducted pursuant to GL 5E until January 19, 2021. The texts of GL 5C, GL 5D, and GL 5E are provided below.

#### Office of Foreign Assets Control

Venezuela Sanctions Regulations 31 CFR part 591

#### General License No. 5C

Authorizing Certain Transactions Related to the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond on or After July 22, 2020

(a) Except as provided in paragraph (b) of this general license, on or after July 22, 2020, all transactions related to, the provision of financing for, and other dealings in the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond that would be prohibited by Subsection 1(a)(iii) of Executive Order (E.O.) 13835 of May 21, 2018, as amended by E.O. 13857 of January 25, 2019, and incorporated into the Venezuela Sanctions Regulations, 31 CFR part 591 (the VSR), are authorized.

(b) This general license does not authorize any transactions or activities otherwise prohibited by the VSR, or any other part of 31 CFR chapter V.

(c) Effective April 10, 2020, General License No. 5B, dated January 21, 2020, is replaced and superseded in its entirety by this General License No. 5C.

Andrea Gacki  
Director  
Office of Foreign Assets Control  
Dated: April 10, 2020

#### Office of Foreign Assets Control

Venezuela Sanctions Regulations 31 CFR part 591

#### General License No. 5D

Authorizing Certain Transactions Related to the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond on or After October 20, 2020

(a) Except as provided in paragraph (b) of this general license, on or after October 20, 2020, all transactions related to, the provision of financing for, and other dealings in the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond that would be prohibited by Subsection 1(a)(iii) of Executive Order (E.O.) 13835 of May 21, 2018, as amended by E.O. 13857 of January 25, 2019, and incorporated into the Venezuela Sanctions Regulations, 31 CFR part 591 (the VSR), are authorized.

(b) This general license does not authorize any transactions or activities otherwise prohibited by the VSR, or any other part of 31 CFR chapter V.

(c) Effective July 15, 2020, General License No. 5C, dated April 10, 2020, is replaced and superseded in its entirety by this General License No. 5D.

Andrea Gacki  
Director  
Office of Foreign Assets Control  
Dated: July 15, 2020

#### Office of Foreign Assets Control

Venezuela Sanctions Regulations 31 CFR part 591

#### General License No. 5E

Authorizing Certain Transactions Related to the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond on or After January 19, 2021

(a) Except as provided in paragraph (b) of this general license, on or after January 19, 2021, all transactions related to, the provision of financing for, and other dealings in the Petróleos de Venezuela, S.A. 2020 8.5 Percent Bond that would be prohibited by Subsection 1(a)(iii) of Executive Order (E.O.) 13835 of May 21, 2018, as amended by E.O. 13857 of January 25, 2019, and incorporated into the Venezuela Sanctions Regulations, 31 CFR part 591 (the VSR), are authorized.

(b) This general license does not authorize any transactions or activities otherwise prohibited by the VSR, or any other part of 31 CFR chapter V.

(c) Effective October 6, 2020, General License No. 5D, dated July 15, 2020, is replaced and superseded in its entirety by this General License No. 5E.

Andrea Gacki  
Director  
Office of Foreign Assets Control

Dated: October 6, 2020

Dated: November 24, 2020.

Andrea Gacki,

Director, Office of Foreign Assets Control.

[FR Doc. 2020–26345 Filed 11–27–20; 8:45 am]

BILLING CODE 4810–AL–P

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–USCG–2020–0645]

RIN 1625–AA00

#### Safety Zone; Neuse River, New Bern, NC

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the navigable waters of the Neuse River in New Bern, North Carolina. This action is necessary to provide for the safety of life on these navigable water near New Bern, NC, during an aerobatic airshow on December 05, 2020. This rulemaking would prohibit persons and vessels from being in the safety zone unless authorized by the Captain of the Port (COTP) North Carolina or a designated representative.

**DATES:** This rule is effective December 5, 2020 from 4 p.m. through 5:30 p.m.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG–2020–0645 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Chief Petty Officer Joshua O'Rourke, Waterways Management Division, U.S. Coast Guard Sector North Carolina, Wilmington, NC; telephone 910–772–2227, email [NCMarineevents@uscg.mil](mailto:NCMarineevents@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
DHS Department of Homeland Security  
FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### II. Background Information and Regulatory History

In August 2020, the UHF Development Group informed the Coast