

DEPARTMENT OF COMMERCE**Bureau of Industry and Security****15 CFR Part 744**

[Docket No. 210312–0056]

RIN 0694–A138

Expansion of Certain End-Use and End-User Controls and Controls on Specific Activities of U.S. Persons; Correction**AGENCY:** Bureau of Industry and Security, Commerce.**ACTION:** Interim final rule; correction.

SUMMARY: The Bureau of Industry and Security (BIS), Department of Commerce, is correcting an interim final rule, “Expansion of Certain End-Use and End-User Controls and Controls on Specific Activities of U.S. Persons,” that appeared in the *Federal Register* of January 15, 2021 (hereinafter referred to as the January 15 rule) by revising an incorrect instruction that would have resulted in the inadvertent deletion of two subparagraphs of the Export Administration Regulations’ (EAR) restrictions on certain rocket systems and unmanned aerial vehicles.

DATES: *Effective date:* March 16, 2021.**FOR FURTHER INFORMATION CONTACT:**

Philip Johnson, Senior Advisor, Export Enforcement, Bureau of Industry and Security, Phone: (202) 482–3685, Philip.Johnson@bis.doc.gov.

SUPPLEMENTARY INFORMATION:**Background**

On January 15, 2021, BIS published an interim final rule expanding certain end-use and end-user controls and controls on specific activities of U.S. persons (86 FR 4865) (hereinafter the January 15 rule). Due to an instruction error, which directed the revision of paragraph (a)(3) of § 744.3 of the EAR, rather than only the introductory text of that paragraph, upon its effective date, the January 15 rule would have resulted in the inadvertent deletion of § 744.3(a)(3)(i) and (ii) of the EAR, which describe the license requirements that apply when an exporter, reexporter, or transferor cannot determine the range capabilities of a rocket system or unmanned aerial vehicle (UAV) in certain countries of missile technology concern (Country Group D:4) (see Supplement No. 1 to part 740 of the EAR), or whether such rocket system or UAV will be used in connection with the delivery of certain weapons of mass destruction. This was a technical error and BIS did not intend to remove the existing restrictions on exports,

reexports, and transfers (in-country) applicable to certain rocket systems and UAVs in D:4 countries currently set forth in § 744.3(a)(3)(i) and (ii) of the EAR. To remediate this error, BIS is correcting the instruction in the January 15 rule to revise only the introductory “text of § 744.3(a)(3), rather than the entire paragraph.

Correction

Accordingly, in FR Doc. 2021–00977, appearing on page 4865 in the *Federal Register* of Friday, January 15, 2021, the follow correction is made:

§ 744.3 [Correction]

■ 1. On page 4871, first column, instruction 9 is corrected to read “Section 744.3 is amended by revising paragraphs (a)(1) and (2), the introductory text to paragraph (a)(3), and paragraphs (d)(2)(ii) and (v) to read as follows:”

Matthew S. Borman,*Deputy Assistant Secretary for Export Administration.*

[FR Doc. 2021–05623 Filed 3–15–21; 4:15 pm]

BILLING CODE 3510–33–P**DEPARTMENT OF THE TREASURY****Office of Foreign Assets Control**

31 CFR Parts 501, 510, 535, 536, 539, 541, 542, 544, 546, 547, 548, 549, 552, 560, 561, 566, 576, 583, 584, 588, 592, 594, 597, and 598

Inflation Adjustment of Civil Monetary Penalties**AGENCY:** Office of Foreign Assets Control, Treasury.**ACTION:** Final rule.

SUMMARY: The Department of the Treasury’s Office of Foreign Assets Control (OFAC) is issuing this final rule to adjust certain civil monetary penalties for inflation pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015.

DATES: This rule is effective March 17, 2021.**FOR FURTHER INFORMATION CONTACT:**

OFAC: Assistant Director for Licensing, 202–622–2480; Assistant Director for Regulatory Affairs, 202–622–4855; Assistant Director for Sanctions Compliance & Evaluation, 202–622–2490.

SUPPLEMENTARY INFORMATION:**Electronic Availability**

This document and additional information concerning OFAC are available from OFAC’s website (www.treasury.gov/ofac).

Background

Section 4 of the Federal Civil Penalties Inflation Adjustment Act (1990 Pub. L. 101–410, 104 Stat. 890; 28 U.S.C. 2461 note), as amended by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Pub. L. 114–74, 129 Stat. 599, 28 U.S.C. 2461 note) (the FCPIA Act), requires each federal agency with statutory authority to assess civil monetary penalties (CMPs) to adjust CMPs annually for inflation according to a formula described in section 5 of the FCPIA Act. One purpose of the FCPIA Act is to ensure that CMPs continue to maintain their deterrent effect through periodic cost-of-living based adjustments.

OFAC has adjusted its CMPs six times since the Federal Civil Penalties Inflation Adjustment Act Improvements Act went into effect on November 2, 2015: An initial catch-up adjustment on August 1, 2016 (81 FR 43070, July 1, 2016); an additional initial catch-up adjustment related to CMPs for failure to comply with a requirement to furnish information, the late filing of a required report, and failure to maintain records (“recordkeeping CMPs”) that were inadvertently omitted from the August 1, 2016 initial catch-up adjustment on October 5, 2020 (85 FR 54911, September 3, 2020); and annual adjustments on February 10, 2017 (82 FR 10434, February 10, 2017); March 19, 2018 (83 FR 11876, March 19, 2018); June 14, 2019 (84 FR 27714, June 14, 2019); and April 9, 2020 (85 FR 19884, April 9, 2020).

Method of Calculation

The method of calculating CMP adjustments applied in this final rule is required by the FCPIA Act. Under the FCPIA Act and the Office of Management and Budget guidance required by the FCPIA Act, annual inflation adjustments subsequent to the initial catch-up adjustment are to be based on the percent change between the Consumer Price Index for all Urban Consumers (“CPI-U”) for the October preceding the date of the adjustment and the prior year’s October CPI-U. As set forth in Office of Management and Budget Memorandum M–21–10 of December 23, 2020, the adjustment multiplier for 2021 is 1.01182. In order to complete the 2021 annual adjustment, each current CMP is

multiplied by the 2021 adjustment multiplier. Under the FCPIA Act, any increase in CMP must be rounded to the nearest multiple of \$1.

New Penalty Amounts

OFAC imposes CMPs pursuant to the penalty authority in five statutes: The

Trading With the Enemy Act (50 U.S.C. 4301–4341, at 4315) (TWEA); the International Emergency Economic Powers Act (50 U.S.C. 1701–1706, at 1705) (IEEPA); the Antiterrorism and Effective Death Penalty Act of 1996 (18 U.S.C. 2339B) (AEDPA); the Foreign

Narcotics Kingpin Designation Act (21 U.S.C. 1901–1908, at 1906) (FNKDA); and the Clean Diamond Trade Act (19 U.S.C. 3901–3913, at 3907) (CDTA).

The table below summarizes the existing and new maximum CMP amounts for each statute.

TABLE 1—MAXIMUM CMP AMOUNTS FOR RELEVANT STATUTES

Statute	Existing maximum CMP amount	Maximum CMP amount effective March 17, 2021
TWEA	\$90,743	\$91,816
IEEPA	307,922	311,562
AEDPA	81,283	82,244
FNKDA	1,529,991	1,548,075
CDTA	13,910	14,074

In addition to updating these maximum CMP amounts, OFAC is also updating two references to one-half the IEEPA maximum CMP from \$153,961 to

\$155,781, and is adjusting the recordkeeping CMP amounts found in OFAC’s Economic Sanctions Enforcement Guidelines in appendix A

to 31 CFR part 501. The table below summarizes the existing and new maximum CMP amounts for OFAC’s recordkeeping CMPs.

TABLE 2—MAXIMUM CMP AMOUNTS FOR RECORDKEEPING CMPs

Violation	Existing maximum CMP amount	Maximum CMP amount effective March 17, 2021
Failure to furnish information pursuant to 31 CFR 501.602 irrespective of whether any other violation is alleged.	\$23,765	\$24,046
Failure to furnish information pursuant to 31 CFR 501.602 where OFAC has reason to believe that the apparent violation(s) involves a transaction(s) valued at greater than \$500,000, irrespective of whether any other violation is alleged.	59,413	60,115
Late filing of a required report, whether set forth in regulations or in a specific license, if filed within the first 30 days after the report is due.	2,970	3,005
Late filing of a required report, whether set forth in regulations or in a specific license, if filed more than 30 days after the report is due.	5,942	6,012
Late filing of a required report, whether set forth in regulations or in a specific license, if the report relates to blocked assets, an additional CMP for every 30 days that the report is overdue, up to five years.	1,189	1,203
Failure to maintain records in conformance with the requirements of OFAC’s regulations or of a specific license.	59,522	60,226

Finally, OFAC is making technical changes in the authorities citations of 31 CFR parts 501, 510, 535, 536, 539, 541, 542, 544, 546, 547, 548, 549, 552, 560, 561, 566, 576, 583, 584, 588, 592, 594, 597 and 598 to consolidate or shorten citations to conform to **Federal Register** guidance and to more specifically reference one of the relevant statutory authorities.

Public Participation

The FCPIA Act expressly exempts this final rule from the notice and comment requirements of the Administrative Procedure Act by directing agencies to adjust CMPs for inflation “notwithstanding section 553 of title 5, United States Code” (Pub. L. 114–74, 129 Stat. 599; 28 U.S.C. 2461 note). As such, this final rule is being issued without prior public notice or

opportunity for public comment, with an effective date of March 17, 2021.

Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this rule does not impose information collection requirements that would require the approval of the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

List of Subjects in 31 CFR Parts 501, 510, 535, 536, 539, 541, 542, 544, 546, 547, 548, 549, 552, 560, 561, 566, 576, 583, 584, 588, 592, 594, 597, and 598

Administrative practice and procedure, Banks, banking, Blocking of assets, Exports, Foreign trade, Licensing, Penalties, Sanctions.

For the reasons set forth in the preamble, the Department of the Treasury’s Office of Foreign Assets

Control amends 31 CFR chapter V as follows:

PART 501—REPORTING, PROCEDURES AND PENALTIES REGULATIONS

■ 1. The authority citation for part 501 is revised to read as follows:

Authority: 8 U.S.C. 1189; 18 U.S.C. 2332d, 2339B; 19 U.S.C. 3901–3913; 21 U.S.C. 1901–1908; 22 U.S.C. 287c, 2370(a), 6009, 6032, 7205, 8501–8551; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); 31 U.S.C. 321(b); 50 U.S.C. 1701–1706, 4301–4341.

Subpart D—Trading With the Enemy Act (TWEA) Penalties

§ 501.701 [Amended]

- 2. In § 501.701, in paragraph (a)(3) introductory text, remove “\$90,743” and add in its place “\$91,816”.
- 3. Amend appendix A to part 501 as follows:
 - a. In paragraph IV.A., remove “\$23,765” and add in its place “\$24,046” and remove “\$59,413” and add in its place “\$60,115”.
 - b. In paragraph IV.B., remove “\$2,970” and add in its place “\$3,005”, remove “\$5,942” and add in its place

- “\$6,012”, and remove “\$1,189” and add in its place “\$1,203”.
- c. In paragraph IV.C., remove “\$59,522” and add in its place “\$60,226”.
- d. In paragraph V.B.2.a.i., remove “\$153,961” and add in its place “\$155,781” and remove “\$307,922” and add in its place “\$311,562”.
- e. In paragraph V.B.2.a.ii., remove “\$307,922” in all three locations where it appears and add in its place in all three locations “\$311,562”.
- f. In paragraph V.B.2.a.v., remove “\$307,922” and add in its place “\$311,562”, remove “\$90,743” and add in its place “\$91,816”, remove

- “\$1,529,991” and add in its place “\$1,548,075”, remove “\$81,283” and add in its place “\$82,244”, and remove “\$13,910” and add in its place “\$14,074”.
- g. Revise paragraph V.B.2.a.vi. The revision reads as follows:

Appendix A to Part 501—Economic Sanctions Enforcement Guidelines

* * * * *

V. * * *

B. * * *

2. * * *

a. * * *

vi. The following matrix represents the base amount of the proposed civil penalty for each category of violation:

BASE PENALTY MATRIX

Egregious Case

		NO	YES
Voluntary Self-Disclosure	YES	(1) One-Half of Transaction Value (capped at <u>lesser</u> of \$155,781 or one-half of the applicable statutory maximum per violation)	(3) One-Half of Applicable Statutory Maximum
	NO	(2) Applicable Schedule Amount (capped at <u>lesser</u> of \$311,562 or the applicable statutory maximum per violation)	(4) Applicable Statutory Maximum

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PART 510—NORTH KOREA SANCTIONS REGULATIONS

- 4. The authority citation for part 510 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; 22 U.S.C. 287c, 9201–9255; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); Pub. L. 115–44, 131 Stat. 886 (codified in scattered

sections of 22 U.S.C.); E.O. 13466, 73 FR 36787, 3 CFR, 2008 Comp., p. 195; E.O. 13551, 75 FR 53837, 3 CFR., 2010 Comp., p. 242; E.O. 13570, 76 FR 22291, 3 CFR, 2011 Comp., p. 233; E.O. 13687, 80 FR 819, 3 CFR, 2015 Comp., p. 259; E.O. 13722, 81 FR 14943, 3 CFR, 2016 Comp., p. 446; E.O. 13810, 82 FR 44705, 3 CFR, 2017 Comp., p. 379.

Subpart G—Penalties

§ 510.701 [Amended]

- 5. In § 510.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 535—IRANIAN ASSETS CONTROL REGULATIONS

- 6. The authority citation for part 535 is revised to read as follows:

Authority: 3 U.S.C. 301; 18 U.S.C. 2332d; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12170, 44 FR 65729, 3 CFR, 1979 Comp., p. 457; E.O. 12205, 45 FR 24099, 3 CFR, 1980 Comp., p. 248; E.O. 12211, 45 FR 26685, 3 CFR, 1980 Comp., p. 253; E.O. 12276, 46 FR 7913, 3 CFR, 1981 Comp., p. 104; E.O. 12279, 46 FR 7919, 3 CFR, 1981 Comp., p. 109; E.O. 12280, 46 FR 7921, 3 CFR, 1981 Comp., p. 110; E.O. 12281, 46 FR 7923, 3 CFR, 1981 Comp., p. 112; E.O. 12282, 46 FR 7925, 3 CFR, 1981 Comp., p. 113; E.O. 12283, 46 FR 7927, 3 CFR, 1981 Comp., p. 114; E.O. 12294, 46 FR 14111, 3 CFR, 1981 Comp., p. 139.

Subpart G—Penalties

§ 535.701 [Amended]

■ 7. In § 535.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 536—NARCOTICS TRAFFICKING SANCTIONS REGULATIONS

■ 8. The authority citation for part 536 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12978, 60 FR 54579, 3 CFR, 1995 Comp., p. 415; E.O. 13286, 68 FR 10619, 3 CFR, 2003 Comp., p. 166.

Subpart G—Penalties

§ 536.701 [Amended]

■ 9. In § 536.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 539—WEAPONS OF MASS DESTRUCTION TRADE CONTROL REGULATIONS

■ 10. The authority citation for part 539 is revised to read as follows:

Authority: 3 U.S.C. 301; 22 U.S.C. 2751–2799aa–2; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13094, 63 FR 40803, 3 CFR, 1998 Comp., p. 200.

Subpart G—Penalties

§ 539.701 [Amended]

■ 11. In § 539.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 541—ZIMBABWE SANCTIONS REGULATIONS

■ 12. The authority citation for part 541 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28

U.S.C. 2461 note); E.O. 13288, 68 FR 11457, 3 CFR, 2003 Comp., p. 186; E.O. 13391, 70 FR 71201, 3 CFR, 2005 Comp., p. 206; E.O. 13469, 73 FR 43841, 3 CFR, 2008 Comp., p. 1025.

Subpart G—Penalties

§ 541.701 [Amended]

■ 13. In § 541.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 542—SYRIAN SANCTIONS REGULATIONS

■ 14. The authority citation for part 542 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 18 U.S.C. 2332d; 22 U.S.C. 287c; 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p. 168; E.O. 13399, 71 FR 25059, 3 CFR, 2006 Comp., p. 218; E.O. 13460, 73 FR 8991, 3 CFR 2008 Comp., p. 181; E.O. 13572, 76 FR 24787, 3 CFR 2011 Comp., p. 236; E.O. 13573, 76 FR 29143, 3 CFR 2011 Comp., p. 241; E.O. 13582, 76 FR 52209, 3 CFR 2011 Comp., p. 264; E.O. 13606, 77 FR 24571, 3 CFR 2012 Comp., p. 243.

Subpart G—Penalties

§ 542.701 [Amended]

■ 15. In § 542.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 544—WEAPONS OF MASS DESTRUCTION PROLIFERATORS SANCTIONS REGULATIONS

■ 16. The authority citation for part 544 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13094, 63 FR 40803, 3 CFR, 1998 Comp., p. 200; E.O. 13382, 70 FR 38567, 3 CFR, 2005 Comp., p. 170.

Subpart G—Penalties

§ 544.701 [Amended]

■ 17. In § 544.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 546—DARFUR SANCTIONS REGULATIONS

■ 18. The authority citation for part 546 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; 22 U.S.C. 287c; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13067, 62 FR 59989, 3 CFR, 1997 Comp., p. 230; E.O. 13400, 71 FR 25483, 3 CFR, 2006 Comp., p. 220.

Subpart G—Penalties

§ 546.701 [Amended]

■ 19. In § 546.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 547—DEMOCRATIC REPUBLIC OF THE CONGO SANCTIONS REGULATIONS

■ 20. The authority citation for part 547 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; 22 U.S.C. 287c; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13413, 71 FR 64105, 3 CFR, 2006 Comp., p. 247; E.O. 13671, 79 FR 39949, 3 CFR, 2015 Comp., p. 280.

Subpart G—Penalties

§ 547.701 [Amended]

■ 21. In § 547.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 548—BELARUS SANCTIONS REGULATIONS

■ 22. The authority citation for part 548 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13405, 71 FR 35485, 3 CFR, 2007 Comp., p. 231.

Subpart G—Penalties

§ 548.701 [Amended]

■ 23. In § 548.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 549—LEBANON SANCTIONS REGULATIONS

■ 24. The authority citation for part 549 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13441, 72 FR 43499, 3 CFR, 2008 Comp., p. 232.

Subpart G—Penalties

§ 549.701 [Amended]

■ 25. In § 549.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 552—YEMEN SANCTIONS REGULATIONS

■ 26. The authority citation for part 552 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L.

101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13611, 77 FR 29533, 3 CFR, 2012 Comp., p. 260.

Subpart G—Penalties

§ 552.701 [Amended]

■ 27. In § 552.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 560—IRANIAN TRANSACTIONS AND SANCTIONS REGULATIONS

■ 28. The authority citation for part 560 is revised to read as follows:

Authority: 3 U.S.C. 301; 18 U.S.C. 2339B, 2332d; 22 U.S.C. 2349aa–9, 7201–7211, 8501–8551, 8701–8795; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12613, 52 FR 41940, 3 CFR, 1987 Comp., p. 256; E.O. 12957, 60 FR 14615, 3 CFR, 1995 Comp., p. 332; E.O. 12959, 60 FR 24757, 3 CFR, 1995 Comp., p. 356; E.O. 13059, 62 FR 44531, 3 CFR, 1997 Comp., p. 217; E.O. 13599, 77 FR 6659, 3 CFR, 2012 Comp., p. 215; E.O. 13846, 83 FR 38939, 3 CFR, 2018 Comp., p. 854.

Subpart G—Penalties

§ 560.701 [Amended]

■ 29. In § 560.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 561—IRANIAN FINANCIAL SANCTIONS REGULATIONS

■ 30. The authority citation for part 561 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; 22 U.S.C. 8501–8551, 8701–8795; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 12957, 60 FR 14615, 3 CFR, 1995 Comp., p. 332; E.O. 13553, 75 FR 60567, 3 CFR, 2010 Comp., p. 253; E.O. 13599, 77 FR 6659, 3 CFR, 2012 Comp., p. 215; E.O. 13846, 83 FR 38939, 3 CFR, 2018 Comp., p. 854; E.O. 13871, 84 FR 20761, 3 CFR, 2019 Comp., p. 309.

Subpart G—Penalties

§ 561.701 [Amended]

■ 31. In § 561.701, in paragraph (a)(4), remove “\$307,922” and add in its place “\$311,562”.

PART 566—HIZBALLAH FINANCIAL SANCTIONS REGULATIONS

■ 32. The authority citation for part 566 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); Pub. L. 114–102, 129 Stat. 2205 (50 U.S.C. 1701 note); Pub. L. 115–272, 132 Stat. 4144 (50 U.S.C. 1701 note).

Subpart G—Penalties

§ 566.701 [Amended]

■ 33. In § 566.701, in paragraph (b), remove “\$307,922” and add in its place “\$311,562”.

PART 576—IRAQ STABILIZATION AND INSURGENCY SANCTIONS REGULATIONS

■ 34. The authority citation for part 576 is revised to read as follows:

Authority: 3 U.S.C. 301; 22 U.S.C. 287c; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13303, 68 FR 31931, 3 CFR, 2003 Comp., p. 227; E.O. 13315, 68 FR 52315, 3 CFR, 2003 Comp., p. 252; E.O. 13350, 69 FR 46055, 3 CFR, 2004 Comp., p. 196; E.O. 13364, 69 FR 70177, 3 CFR, 2004 Comp., p. 236; E.O. 13438, 72 FR 39719, 3 CFR, 2007 Comp., p. 224; E.O. 13668, 79 FR 31019, 3 CFR, 2014 Comp., p. 248.

Subpart G—Penalties

§ 576.701 [Amended]

■ 35. In § 576.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 583—GLOBAL MAGNITSKY SANCTIONS REGULATIONS

■ 36. The authority citation for part 583 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); Pub. L. 114–328, Title XII, Subtitle F, 130 Stat. 2533 (22 U.S.C. 2656 note); E.O. 13818, 82 FR 60839, 3 CFR, 2017 Comp., p. 399.

§ 583.701 [Amended]

■ 37. In § 583.701, in paragraph (c), remove “\$307,922” and add in its place “\$311,562”.

PART 584—MAGNITSKY ACT SANCTIONS REGULATIONS

■ 38. The authority citation for part 584 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); Pub. L. 112–208, 126 Stat. 1502 (22 U.S.C. 5811 note).

§ 584.701 [Amended]

■ 39. In § 584.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 588—WESTERN BALKANS STABILIZATION REGULATIONS

■ 40. The authority citation for part 588 is revised to read as follows:

Authority: 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13219, 66 FR 34777, 3 CFR, 2001 Comp., p. 778; E.O. 13304, 68 FR 32315, 3 CFR, 2004 Comp. p. 229.

Subpart G—Penalties

§ 588.701 [Amended]

■ 41. In § 588.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 592—ROUGH DIAMONDS CONTROL REGULATIONS

■ 42. The authority citation for part 592 is revised to read as follows:

Authority: 3 U.S.C. 301; 19 U.S.C. 3901–3913; 31 U.S.C. 321(b); Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); E.O. 13312, 68 FR 45151, 3 CFR, 2003 Comp., p. 246.

Subpart F—Penalties

§ 592.601 [Amended]

■ 43. In § 592.601, in paragraph (a)(2), remove “\$13,910” and add in its place “\$14,074”.

PART 594—GLOBAL TERRORISM SANCTIONS REGULATIONS

■ 44. The authority citation for part 594 is revised to read as follows:

Authority: 3 U.S.C. 301; 22 U.S.C. 287c; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note); Pub. L. 115–44, 131 Stat. 886 (codified in scattered sections of 22 U.S.C.); Pub. L. 115–348, 132 Stat. 5055 (50 U.S.C. 1701 note); Pub. L. 115–272, 132 Stat. 4144 (50 U.S.C. 1701 note); E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13268, 67 FR 44751, 3 CFR 2002 Comp., p. 240; E.O. 13284, 68 FR 4075, 3 CFR, 2003 Comp., p. 161; E.O. 13372, 70 FR 8499, 3 CFR, 2006 Comp., p. 159.

Subpart G—Penalties

§ 594.701 [Amended]

■ 45. In § 594.701, in paragraph (a)(2), remove “\$307,922” and add in its place “\$311,562”.

PART 597—FOREIGN TERRORIST ORGANIZATIONS SANCTIONS REGULATIONS

■ 46. The authority citation for part 597 is revised to read as follows:

Authority: 8 U.S.C. 1189; 18 U.S.C. 2339B; 31 U.S.C. 321(b); Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note).

Subpart G—Penalties**§ 597.701 [Amended]**

■ 47. In § 597.701, in paragraph (b)(3), remove “\$81,283” and add in its place “\$82,244”.

PART 598—FOREIGN NARCOTICS KINGPIN SANCTIONS REGULATIONS

■ 48. The authority citation for part 598 is revised to read as follows:

Authority: 3 U.S.C. 301; 21 U.S.C. 1901–1908; 31 U.S.C. 321(b); Pub. L. 101–410, 104 Stat. 890, as amended (28 U.S.C. 2461 note).

Subpart G—Penalties**§ 598.701 [Amended]**

■ 49. In § 598.701, in paragraph (a)(4), remove “\$1,529,991” and add in its place “\$1,548,075”.

Dated: March 12, 2021.

Bradley T. Smith,

Acting Director, Office of Foreign Assets Control.

[FR Doc. 2021–05506 Filed 3–16–21; 8:45 am]

BILLING CODE 4810–AL–P

POSTAL SERVICE**39 CFR Part 230****Rules Governing Compliance With Subpoenas, Summonses, and Court Orders for the Office of Inspector General**

AGENCY: Postal Service™.

ACTION: Final rule.

SUMMARY: The Postal Service is amending the Code of Federal Regulations to state rules that govern compliance with subpoenas, summonses, and court orders served on employees of the Office of Inspector General where neither the Postal Service, the United States, nor any other Federal agency is a party.

DATES: Effective March 17, 2021.

FOR FURTHER INFORMATION CONTACT: Matthew C. Glover, Director, Legal Services, Office of Inspector General, at (703) 248–4584.

SUPPLEMENTARY INFORMATION: On October 3, 2003, the Postal Service published rules governing compliance with subpoenas, summonses, and court orders served on employees of the Office of Inspector General.

Those rules appear in subpart B of part 230. This publication amends and updates the existing rules.

List of Subjects in 39 CFR Part 230

Administrative practice and procedure.

For the reasons stated in the preamble, the Postal Service amends 39 CFR part 230 as follows:

PART 230—OFFICE OF INSPECTOR GENERAL

■ 1. The authority citation for part 230 continues to read as follows:

Authority: 5 U.S.C. app. 3; 39 U.S.C. 401(2) and 1001.

■ 2. Revise subpart B to read as follows:

Subpart B—Rules Governing Compliance With Subpoenas, Summonses, and Court Orders by Postal Employees Within the Office of Inspector General Where Neither the Postal Service, the United States, Nor Any Other Federal Agency Is a Party**§ 230.10 Demands for records or testimony.**

(a) *Scope and applicability.* (1) This section sets forth the *Touhy* regulations of the U.S. Postal Service Office of Inspector General. It applies to situations where an employee of the Office of Inspector General has been summoned, subpoenaed, or given a court order to produce documents or provide testimony in connection with any Federal, State, local court, administrative, or legislative proceeding.

(2) This section does not apply to:

- (i) Proceedings where the United States, the Postal Service, or any other Federal agency is named as a party;
- (ii) Congressional requests or subpoenas for testimony or documents; or

(iii) Appearances by employees in their private capacities in proceedings unrelated to their Postal Service employment.

(3) This section should be read together with the Freedom of Information Act (FOIA), 5 U.S.C. 552a, which provides additional information about access to records. The provisions of this section do not affect rights and procedures governing public access to official documents pursuant to the FOIA.

(4) This section does not create any right or benefit, substantive or procedural, enforceable by any party against the Office of Inspector General or the U.S. Postal Service.

(b) *General prohibition.* (1) No employee may testify or produce documents concerning information acquired in the course of employment or as a result of his or her relationship with the Postal Service in any case or matter, unless authorized to do so by an authorizing official.

(2) Without written authorization from the authorizing official, the employee must respectfully decline to produce documents, testify, or otherwise disclose the requested information. If the authorization is denied or not received by the return date, the employee (together with counsel, where appropriate) shall appear at the stated time and place, produce a copy of this section, and respectfully decline to testify or produce any document on the basis of the regulations in this section.

(3) If an attempt is made to compel production of documents during the employee’s testimony, the employee is directed to decline to produce the item or information and to state that the material cannot be disclosed or produced without the approval of the authorizing official.

(c) *Procedure to request documents or testimony.* (1) All demands seeking the production of nonpublic documents or employee testimony concerning matters relating to their official duties shall be made in writing and conform to the requirements outlined in paragraphs (c)(2) and (3) of this section.

(2) The requesting party shall serve a summons or subpoena issued in accordance with the appropriate rules of procedure on the General Counsel to the Inspector General at the Office of Inspector General, 1735 North Lynn Street, Arlington, VA 22209–2020.

(3) Together with a summons or subpoena served on the General Counsel, the requesting party shall include an affidavit or sworn declaration containing the following information:

- (i) The title of the case and the forum where it will be heard;
- (ii) The party’s interest in the case;
- (iii) The reasons for the demand;
- (iv) If testimony is sought, a detailed summary of the anticipated testimony;
- (v) If testimony is sought, a showing that Office of Inspector General records could not be provided and used in place of the requested testimony;
- (vi) The intended use of the documents or testimony; and
- (vii) An affirmative statement that the documents or testimony is necessary for defending or prosecuting the case at issue.

(d) *Evaluation of a demand for documents or testimony.* (1) The authorizing official will consider the factors in paragraphs (d)(1)(i) through (viii) of this section when deciding whether to authorize testimony or the production of documents:

- (i) Statutory restrictions, as well as any legal objection, exemption, or privilege that may apply;