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The Code of Federal Regulations is sold by the Superintendent of Documents.

DEPARTMENT OF HOMELAND SECURITY

8 CFR Parts 214 and 274a

[CIS No. 2719–22]

RIN 1615–AC79

DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 655

[DOL Docket No. ETA–2022–0004]

RIN 1205–AC10

Exercise of Time-Limited Authority To Increase the Numerical Limitation for Second Half of FY 2022 for the H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking To Change Employers; Correction

AGENCY: U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security (DHS), and Employment and Training Administration and Wage and Hour Division, U.S. Department of Labor (DOL).

ACTION: Temporary rule; correction.

SUMMARY: On May 18, 2022, the Department of Homeland Security and Department of Labor jointly published a temporary rule titled ''Exercise of Time-Limited Authority to Increase the Numerical Limitation for Second Half of FY 2022 for the H–2B Temporary Nonagricultural Worker Program and Portability Flexibility for H–2B Workers Seeking to Change Employers.'' This is the second correction. The first correction was published in the **Federal Register** on May 23, 2022. The **ADDRESSES** section contained an incorrect regulatory information numbers (RIN). This document corrects the RIN.

DATES: Effective on May 18, 2022.

FOR FURTHER INFORMATION CONTACT: Pamela Peters, Acting Director, Office of Regulatory and Programmatic Policy, Office of the Assistant Secretary for Policy, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210; telephone 202–693–5959 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: On May 18, 2022, the Department of Homeland Security and Department of Labor jointly published a temporary rule. This is the second correction. The first correction was published in the **Federal Register** on May 23, 2022 (87 FR 31095).

Correction

In the temporary rule, FR Doc. 2022–10631, beginning on page 30334 in the issue of Wednesday, May 18, 2022, make the following correction in the **ADDRESSES** section. On page 30334 in the second column, lines 5 and 12 the RIN is corrected to read ''1205–AC10.''

Christina E. McDonald,

Federal Register Liaison, U.S. Department of Homeland Security.

Laura Dawkins,

Federal Register Liaison, U.S. Department of Labor.

[FR Doc. 2022–11989 Filed 6–3–22; 8:45 am]

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DEPARTMENT OF ENERGY

10 CFR Part 431

[EERE–2019–BT–STD–0034]

RIN 1904–AE56

Energy Conservation Program: Energy Conservation Standards for Commercial Prerinse Spray Valves

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Final determination.

SUMMARY: The Energy Policy and Conservation Act (''EPCA''), as amended, prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including commercial prerinse spray valves (''CPSVs'') equipment. EPCA also requires the U.S. Department of Energy (''DOE'' or ''the Department'') to periodically determine whether more stringent, amended standards would be technologically feasible and economically justified, and would result in significant energy savings. In this final determination, DOE has determined that amended energy conservation standards for commercial prerinse spray valves are not needed.

DATES: The effective date of this rule is July 6, 2022.

ADDRESSES: The docket for this rulemaking, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, not all documents listed in the index may be publicly available, such as information that is exempt from public disclosure.

The docket web page can be found at *www.regulations.gov/docket/EERE-2019-BT-STD-0034.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

For further information on how to review the docket, contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Bryan Berringer, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–0371. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Kathryn McIntosh, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–2002. Email: *Kathryn.McIntosh@hq.doe.gov.*

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I. Synopsis of the Final Determination

Title III, Part B [1] of EPCA,[2] established the Energy Conservation Program for Consumer Products Other Than Automobiles. (42 U.S.C. 6291–6309) These products include CPSVs, the subject of this final determination.[3]

DOE is issuing this final determination pursuant to the EPCA requirement that, not later than 6 years after issuance of any final rule establishing or amending a standard, DOE must publish either a notification of determination that standards for the product do not need to be amended, or a notice of proposed rulemaking (''NOPR'') including new proposed energy conservation standards (proceeding to a final rule, as appropriate). (42 U.S.C. 6295(m))

For this final determination, DOE analyzed CPSVs subject to standards specified in title 10 of the Code of Federal Regulations (''CFR'') part 431, section 266.

DOE first analyzed the technological feasibility of more energy (water) efficient CPSVs and CPSVs with lower energy use. For those CPSVs for which DOE determined higher standards to be technologically feasible, DOE estimated energy savings that would result from potential energy conservation standards by conducting a national impacts analysis (''NIA''). DOE evaluated whether higher standards would be cost effective by conducting life-cycle cost (''LCC'') and payback period (''PBP'') analyses and estimated the net present value (''NPV'') of the total costs and benefits experienced by consumers.

Based on the results of the analyses, summarized in section V of this document, DOE has determined that current standards for CPSVs do not need to be amended because any potential benefits are outweighed by the risk of increased energy and water usage due to the increased risk of product type switching, costs, and additional burden to manufacturers.

II. Introduction

The following section briefly discusses the statutory authority underlying this final determination, as well as some of the historical background relevant to the establishment of standards for CPSVs.

A. Authority

EPCA authorizes DOE to regulate the energy efficiency of a number of consumer products and certain industrial equipment. Title III, Part B of EPCA established the Energy Conservation Program for Consumer Products Other Than Automobiles. These products include CPSVs, the subject of this document. (42 U.S.C. 6291(33)). EPCA prescribed energy conservation standards (in terms of flow rate) for these products (42 U.S.C. 6295(dd)) and directs DOE to conduct future rulemakings to determine whether to amend these standards. (42 U.S.C. 6295(m)).

The energy conservation program under EPCA consists essentially of four parts: (1) Testing, (2) labeling, (3) the establishment of Federal energy conservation standards, and (4) certification and enforcement procedures. Relevant provisions of EPCA specifically include definitions (42 U.S.C. 6291), test procedures (42 U.S.C. 6293), labeling (42 U.S.C. 6294), energy conservation standards (42 U.S.C. 6295), and the authority to require information and reports from manufacturers (42 U.S.C. 6296).

Subject to certain criteria and conditions, DOE is required to develop test procedures to measure the energy efficiency, energy use, or estimated annual operating cost of each covered product. (42 U.S.C. 6295(o)(3)(A) and 42 U.S.C. 6295(r)) Manufacturers of covered products must use the prescribed DOE test procedure as the basis for certifying to DOE that their products comply with the applicable energy conservation standards adopted under EPCA and when making representations to the public regarding the energy use or efficiency of those products. (42 U.S.C. 6293(c) and 42 U.S.C. 6295(s)) Similarly, DOE must use

[1] For editorial reasons, upon codification in the U.S. Code, Part B was redesignated Part A.

[2] All references to EPCA in this document refer to the statute as amended through the Energy Act of 2020, Public Law 116–260 (Dec. 27, 2020), which reflect the last statutory amendments that impact Parts A and A–1 of EPCA.

[3] Because Congress included commercial prerinse spray valves in Part B of Title III of EPCA, the consumer product provisions of Part B (not the industrial equipment provisions of Part C) apply to CPSVs. However, because CPSVs are commonly considered to be commercial equipment, as a matter of administrative convenience and to minimize confusion among interested parties, DOE placed the requirements for CPSVs into subpart O of 10 CFR part 431. Part 431 contains DOE regulations for commercial and industrial equipment. DOE refers to CPSVs as either ''products'' or ''equipment.''

these test procedures to determine whether the products comply with standards adopted pursuant to EPCA. (42 U.S.C. 6295(s)) The DOE test procedures for commercial prerinse spray valves appear at 10 CFR 431.264.

Federal energy conservation requirements generally supersede State laws or regulations concerning energy conservation testing, labeling, and standards. (42 U.S.C. 6297(a)–(c)) California, however, has a statutory exemption to preemption for CPSV standards adopted by the California Energy Commission before January 1, 2005. (42 U.S.C. 6297(c)(7)) As a result, while Federal CPSV standards apply in California, California's CPSV standards also apply for standards adopted by January 1, 2005, as they are exempt from preemption. In 2018, California revised its regulations so that the maximum flow rate requirements align with those implemented by DOE for CPSVs. DOE may, however, grant waivers of Federal preemption for particular State laws or regulations, in accordance with the procedures and other provisions set forth under EPCA. (*See* 42 U.S.C. 6297(d))

Pursuant to the amendments contained in the Energy Independence and Security Act of 2007 (''EISA 2007''), Public Law 110–140, any final rule for new or amended energy conservation standards promulgated after July 1, 2010, is required to address standby mode and off mode energy use. (42 U.S.C. 6295(gg)(3)) Specifically, when DOE adopts a standard for a covered product after that date, it must, if justified by the criteria for adoption of standards under EPCA (42 U.S.C. 6295(o)), incorporate standby mode and off mode energy use into a single standard, or, if that is not feasible, adopt a separate standard for such energy use for that product. (42 U.S.C. 6295(gg)(3)(A)–(B)) Because CPSVs only consume energy and water in active mode, DOE's test procedures for CPSVs do not address standby mode and off mode energy use as they are not applicable for this product.

DOE must periodically review its already established energy conservation standards for a covered product no later than 6 years from the issuance of a final rule establishing or amending a standard for a covered product. (42 U.S.C. 6295(m)) This 6-year look-back provision requires that DOE publish either a determination that standards do not need to be amended or a NOPR, including new proposed standards (proceeding to a final rule, as appropriate). (42 U.S.C. 6295(m)(1)(A)–(B)) EPCA further provides that, not later than 3 years after the issuance of a final determination not to amend standards, DOE must publish either a notification of determination that standards for the product do not need to be amended, or a NOPR including new proposed energy conservation standards (proceeding to a final rule, as appropriate). (42 U.S.C. 6295(m)(3)(B)). DOE must make the analysis on which a determination is based publicly available and provide an opportunity for written comment. (42 U.S.C. 6295(m)(2)).

A determination that amended standards are not needed must be based on consideration of whether amended standards will result in significant conservation of energy, are technologically feasible, and are cost effective. (42 U.S.C. 6295(m)(1)(A) and 42 U.S.C. 6295(n)(2)) Additionally, any new or amended energy conservation standard prescribed by the Secretary of Energy (''Secretary'') for any type (or class) of covered product shall be designed to achieve the maximum improvement in energy efficiency that the Secretary determines is technologically feasible and economically justified. (42 U.S.C. 6295(o)(2)(A)). Among the factors DOE considers in evaluating whether a proposed standard level is economically justified is whether the proposed standard at that level is cost effective, as defined under 42 U.S.C. 6295(o)(2)(B)(i)(II). Under 42 U.S.C. 6295(o)(2)(B)(i)(II), an evaluation of cost effectiveness requires DOE to consider savings in operating costs throughout the estimated average life of the covered products in the type (or class) compared to any increase in the price, initial charges, or maintenance expenses for the covered products that are likely to result from the standard. (42 U.S.C. 6295(n)(2) and 42 U.S.C. 6295(o)(2)(B)(i)(II)).

DOE is publishing this final determination in satisfaction of the 6-year review requirement in EPCA.

B. Background

1. Current Standards

In a final rule published on January 27, 2016, (''January 2016 Final Rule''), DOE prescribed the current energy conservation standards for CPSVs manufactured on and after January 28, 2019. 81 FR 4748. These standards prescribe a maximum flow rate in gallons per minute (''gpm'') for each product class and are set forth in DOE's regulations at 10 CFR 431.266 and repeated in Table II.1.

TABLE II.1—FEDERAL ENERGY CONSERVATION STANDARDS FOR COMMERCIAL PRERINSE SPRAY VALVES

Product class (spray force in ounce-force, ozf)	Flow rate (gpm)
Product Class 1 (≤5.0 ozf) ...	1.00
Product Class 2 (>5.0 ozf and ≤8.0 ozf)	1.20
Product Class 3 (>8.0 ozf) ...	1.28

2. History of Standards Rulemakings for Commercial Prerinse Spray Valves

In support of the present review of the CPSV energy conservation standards, on June 10, 2020, DOE published a request for information (''RFI'') that identified various issues on which DOE sought comment to inform its determination of whether the standards need to be amended. 85 FR 35383 (''June 2020 RFI''). Then, on August 18, 2021, DOE published a notice of proposed determination (''August 2021 NOPD'') in which DOE initially determined that amended energy conservation standards for CPSVs were not needed. 86 FR 46330. On September 1, 2021, DOE held a public webinar in which it presented the methods and analysis in the August 2021 NOPD and solicited public comment.[4]

DOE received written comments in response to the August 2021 NOPD from the interested parties listed in Table II.2.

TABLE II.2—AUGUST 2021 NOPD WRITTEN COMMENTS

Organization(s)	Reference in this final determination	Organization type
Appliance Standards Awareness Project, Natural Resources Defense Council.	Efficiency Advocates	Efficiency Organization.

[4] Webinar transcript available at *www.regulations.gov/document/EERE-2019-BT-STD-0034-0015.*

TABLE II.2—AUGUST 2021 NOPD WRITTEN COMMENTS—Continued

Organization(s)	Reference in this final determination	Organization type
Northwest Energy Efficiency Alliance	NEEA	Efficiency Organization.
Pacific Gas and Electric Company, San Diego Gas and Electric, and Southern California Edison.	CA IOUs	Utilities.
Plumbing Manufacturers Inc	PMI	Trade Association.

A parenthetical reference at the end of a comment quotation or paraphrase provides the location of the item in the public record.[5]

III. General Discussion

DOE developed this final determination after considering comments, data, and information from interested parties that represent a variety of interests. This document addresses issues raised by these commenters.

A. Product Classes and Scope of Coverage

When evaluating and establishing energy conservation standards, DOE divides covered products into product classes by the type of energy used or by capacity or other performance-related features that justify differing standards. In making a determination whether a performance-related feature justifies a different standard, DOE must consider such factors as the utility of the feature to the consumer and other factors DOE determines are appropriate. (42 U.S.C. 6295(q)) The CPSV product classes for this final determination are discussed in further detail in section IV.B.3 of this document. This determination covers CPSVs, which are defined as handheld devices that have a release-to-close valve and are suitable for removing food residue from food service items before cleaning them in commercial dishwashing or ware washing equipment. 10 CFR 431.262. DOE may determine that a device is suitable for removing food residue from food service items before cleaning them in commercial dishwashing or ware washing equipment based on any or all of the following:

(1) Equipment design and representations (*e.g.,* whether equipment is represented as being capable of rinsing dishes as compared to equipment that is represented exclusively for washing walls and floors or animal washing),

(2) Channels of marketing and sales (*e.g.,* whether equipment is marketed or sold through outlets that market or sell to food service entities), and/or

(3) Actual sales (including whether the end-users are restaurants or commercial or institutional kitchens, even if those sales are indirectly through an entity such as a distributor).[6]

Id.

The scope of coverage is discussed in further detail in section IV.A.1. of this document.

B. Test Procedure

EPCA sets forth generally applicable criteria and procedures for DOE's adoption and amendment of test procedures. (42 U.S.C. 6293) Manufacturers of covered products must use these test procedures to certify to DOE that their product complies with energy conservation standards and to quantify the efficiency of their product. (42 U.S.C. 6295(s) and 42 U.S.C. 6293(c)). DOE's current energy conservation standards for CPSVs are expressed in terms of gpm. 10 CFR 431.266.

On March 11, 2022, DOE published a test procedure final rule for CPSVs that amended the definition of ''commercial prerinse spray valve'' to codify existing guidance for determining whether a device is suitable for removing food residue from food service items that did not change the scope of products covered, updated references to the reaffirmed ASTM International (''ASTM'') Standard (ASTM F2324–13 (2019)), and explicitly permitted voluntary representations at water pressures other than 60 pounds per square inch (''psi'') in manufacturer literature. 87 FR 13901 (''March 2022 TP Final Rule''). DOE determined that the amendments to the test procedure adopted in the March 2022 TP Final Rule will not alter the measured efficiency of CPSVs or require retesting or recertification solely as a result of DOE's adoption of the amendments to the test procedures. 87 FR 13901, 13903.

C. Technological Feasibility

1. General

In evaluating potential amendments to energy conservation standards, DOE conducts a screening analysis based on information gathered on all current technology options and prototype designs that could improve the efficiency of the products or equipment that are the subject of the determination. As the first step in such an analysis, DOE develops a list of technology options for consideration in consultation with manufacturers, design engineers, and other interested parties. DOE then determines which of those means for improving efficiency are technologically feasible. DOE considers technologies incorporated in commercially available products or in working prototypes to be technologically feasible. Sections 6(b)(3)(i) and 7(b)(1) of appendix A to 10 CFR part 430, subpart C (''appendix A'').

After DOE has determined that particular technology options are technologically feasible, it further evaluates each technology option in light of the following additional screening criteria: (1) Practicability to manufacture, install, and service; (2) adverse impacts on product utility or availability; (3) adverse impacts on health or safety; and (4) unique pathway proprietary technologies. Sections 6(b)(3)(ii)–(v) and 7(b)(2)–(5) of appendix A. Section IV.B of this document discusses the results of the screening analysis for CPSVs, particularly the designs DOE considered, those it screened out, and those that are the basis for the standards considered in this determination. For further details on the screening analysis for this final determination, see chapter 4 of the final determination technical support document (''TSD'').

2. Maximum Technologically Feasible Levels

As when DOE proposes to adopt an amended standard for a type or class of covered product, it must determine the maximum improvement in energy efficiency or maximum reduction in

[5] The parenthetical reference provides a reference for information located in the docket. (Docket No. EERE-2019-BT-STD-0034, which is maintained at *www.regulations.gov/docket/EERE-2019-BT-STD-0034).* The references are arranged as follows: (commenter name, comment docket ID number, page of that document).

[6] The definition of commercial prerinse spray valve was recently amended in the March 2022 test procedure final rule, 87 FR 13901, 13905 (March 11, 2022). In that final rule, DOE stated that the amended definition only codified existing guidance and did not change the scope of the definition. Id.

energy use that is technologically feasible for such a product. (42 U.S.C. 6295(p)(1)). Accordingly, in the engineering analysis, DOE determined the maximum technologically feasible (''max-tech'') improvements in energy efficiency for CPSVs using the design parameters for the most efficient products available on the market or in working prototypes. The max-tech levels that DOE determined for this analysis are described in section IV.C of this document and in chapter 5 of the final determination TSD.

D. Energy Savings

1. Determination of Savings

For each efficiency level (''EL'') evaluated, DOE projected energy savings from application of the efficiency level to the CPSVs purchased in the 30-year period that begins in the assumed year of compliance with the potential standards (2027–2056). The savings are measured over the entire lifetime of the CPSVs purchased in the previous 30-year period. DOE quantified the energy savings attributable to each efficiency level as the difference in energy consumption between each standards case and the no-new-standards case. The no-new-standards case represents a projection of energy consumption that reflects how the market for a product would likely evolve in the absence of amended energy conservation standards.

DOE used its NIA spreadsheet model to estimate national energy savings (''NES'') from potential amended or new standards for CPSVs. The NIA spreadsheet model (described in section IV.H of this document) calculates energy savings in terms of site energy, which is the energy directly consumed by products at the locations where they are used. For electricity, DOE reports NES in terms of primary energy savings, which is the savings in the energy that is used to generate and transmit the site electricity. DOE also calculates NES in terms of full-fuel-cycle (''FFC'') energy savings. The FFC metric includes the energy consumed in extracting, processing, and transporting primary fuels (*i.e.,* coal, natural gas, petroleum fuels), and thus presents a more complete picture of the impacts of energy conservation standards.[7] DOE's approach is based on the calculation of an FFC multiplier for each of the energy types used by covered products or equipment. For more information on FFC energy savings, see section IV.H of this document.

2. Significance of Savings

In determining whether amended standards are needed, DOE must consider whether such standards will result in significant conservation of energy. (42 U.S.C. 6295(m)(1)(A)) The significance of energy savings offered by a new or amended energy conservation standard cannot be determined without knowledge of the specific circumstances surrounding a given rulemaking.[8] For example, the United States rejoined the Paris Agreement on February 19, 2021. As part of that agreement, the United States has committed to reducing greenhouse gas (''GHG'') emissions in order to limit the rise in mean global temperature.[9] As such, energy savings that reduce GHG emissions have taken on greater importance. Accordingly, DOE evaluates the significance of energy savings on a case-by-case basis (as discussed in section V.D.3).

E. Cost Effectiveness

In making a determination of whether amended energy conservation standards are needed, EPCA requires DOE to consider the cost effectiveness of amended standards in the context of the savings in operating costs throughout the estimated average life of the covered product compared to any increase in the price of, or in the initial charges for, or maintenance expenses of, the covered product that are likely to result from a standard. (42 U.S.C. 6295(m)(1)(A), 42 U.S.C. 6295(n)(2), and 42 U.S.C. 6295(o)(2)(B)(i)(II)).

In determining cost effectiveness of amending standards for CPSVs, DOE conducted LCC and PBP analyses that estimate the costs and benefits to users from potential standards. To further inform DOE's consideration of the cost effectiveness of potential amended standards, DOE considered the NPV of total costs and benefits estimated as part of the NIA. The inputs for determining the NPV of the total costs and benefits experienced by consumers are (1) total annual installed cost, (2) total annual operating costs (energy costs and repair and maintenance costs), and (3) a discount factor to calculate the present value of costs and savings.

F. Further Considerations

As stated previously, pursuant to EPCA, absent DOE publishing a notification of determination that energy conservation standards for CPSVs do not need to be amended, DOE must issue a NOPR that includes new proposed standards. (42 U.S.C. 6295(m)(1)(B)). The new proposed standards in any such NOPR must be based on the criteria established under 42 U.S.C. 6295(o) and follow the procedures established under 42 U.S.C. 6295(p). (42 U.S.C. 6295(m)(1)(B)). The criteria in 42 U.S.C. 6295(o) require that standards be designed to achieve the maximum improvement in energy efficiency, which the Secretary determines is technologically feasible and economically justified. (42 U.S.C. 6295(o)(2)(A)). In deciding whether a proposed standard is economically justified, DOE must determine whether the benefits of the standard exceed its burdens. (42 U.S.C. 6295(o)(2)(B)(i)). DOE must make this determination after receiving comments on the proposed standard, and by considering, to the greatest extent practicable, the following seven statutory factors:

(1) The economic impact of the standard on manufacturers and consumers of the products subject to the standard;

(2) The savings in operating costs throughout the estimated average life of the covered products in the type (or class) compared to any increase in the price, initial charges for, or maintenance expenses of the covered products that are likely to result from the standard;

(3) The total projected amount of energy (or as applicable, water) savings likely to result directly from the standard;

(4) Any lessening of the utility or the performance of the covered products likely to result from the standard;

(5) The impact of any lessening of competition, as determined in writing by the Attorney General, that is likely to result from the standard;

(6) The need for national energy and water conservation; and

(7) Other factors the Secretary considers relevant.

(42 U.S.C. 6295(o)(2)(B)(i)(I)–(VII))

As discussed in the January 2016 Final Rule, DOE found that amended standards at a level more stringent than those adopted would not be economically justified under the considerations of the seven factors prescribed in EPCA. 81 FR 4748, 4794 (Jan. 27, 2016). Specifically, the Secretary concluded that at the more stringent standards levels, the benefits of energy savings, positive NPV of consumer benefits, emission reductions, and the estimated monetary value of the emissions reductions would be outweighed by the reduction in manufacturer industry value. *Id.* Consequently, the Secretary concluded that standards more stringent than those adopted were not economically justified. *Id.* For the determination in

[7] The FFC metric is discussed in DOE's statement of policy and notice of policy amendment. 76 FR 51282 (Aug. 18, 2011), as amended at 77 FR 49701 (Aug. 17, 2012).

[8] *See* 86 FR 70892, 70901 (Dec. 13, 2021).

[9] *See* Executive Order 14008, 86 FR 7619 (Feb. 1, 2021), ''Tackling the Climate Crisis at Home and Abroad''.

this document, DOE has considered potential manufacturer impacts associated with amended energy conservation standards (*See* section IV.I of this document).

IV. Methodology and Discussion of Related Comments

This section addresses the analyses DOE has performed for this final determination regarding CPSVs. Separate subsections address each component of DOE's analyses. DOE used several analytical tools to estimate the impact of potential energy conservation standards. The first tool is a spreadsheet that calculates the LCC savings and PBP of potential energy conservation standards. The NIA uses a second spreadsheet set that provides shipments projections and calculates NES and NPV of total consumer costs and savings expected to result from potential energy conservation standards. These spreadsheet tools are available on the website: *www.regulations.gov/docket/EERE-2019-BT-STD-0034.*

In response to the August 2021 NOPD, PMI commented generally that they support DOE's proposed determination that amended energy conservation standards are not needed. (PMI, No. 16 at p. 1)

A. Market and Technology Assessment

DOE develops information in the market and technology assessment that provides an overall picture of the market for the products concerned, including the purpose of the products, the industry structure, manufacturers, market characteristics, and technologies used in the products. This activity includes both quantitative and qualitative assessments, based primarily on publicly available information. The subjects addressed in the market and technology assessment for this final determination include (1) a determination of the scope and product classes, (2) manufacturers and industry structure, (3) existing efficiency programs, (4) shipments information, (5) market and industry trends, and (6) technologies or design options that could improve the energy efficiency of commercial prerinse spray valves. The key findings of DOE's market assessment are summarized in the following sections. See chapter 3 of the final determination TSD for further discussion of the market and technology assessment.

1. Scope of Coverage

In this analysis, DOE relied on the definition of CPSVs in 10 CFR 431.262, which defines CPSV as a handheld device that has a release-to-close valve and is suitable for removing food residue from food service items before cleaning them in commercial dishwashing or ware washing equipment. DOE may determine that a device is suitable for removing food residue from food service items before cleaning them in commercial dishwashing or ware washing equipment based on any or all of the following: (1) equipment design and representations (*e.g.,* whether equipment is represented as being capable of rinsing dishes as compared to equipment that is represented exclusively for washing walls and floors or animal washing); (2) channels of marketing and sales (*e.g.,* whether equipment is marketed or sold through outlets that market or sell to food service entities); and/or (3) actual sales (including whether the end-users are restaurants or commercial or institutional kitchens, even if those sales are indirectly through an entity such as a distributor). 10 CFR 431.262. Any product meeting the definition of CPSV is included in DOE's scope of coverage.

2. Technology Options

In the August 2021 NOPD, DOE identified several technology options that would be expected to improve the efficiency of CPSVs, as measured by the DOE test procedure. 86 FR 46330, 46336. The complete list of technology options identified are as follows:

- Addition of flow control insert,
- Smaller spray hole area,
- Aerators,
- Additional valves,
- Changing spray hole shape, and
- Venturi meter to orifice plate nozzle geometries. [10]

DOE also discussed use of a pressure compensating aerator (''PCA'') as a technology to potentially improve efficiency. 86 FR 46330, 46336. DOE stated that PCAs typically use an O-ring that compresses and relaxes in response to system pressure. When there is no pressure, the O-ring is relaxed and allows the aerator to be fully opened. As the pressure increases, the O-ring is compressed into the aerator opening to partially block water passage. This establishes an inverse relationship between the area of the aerator opening and the water pressure, and can be designed such that the water flow rate is approximately constant with pressure. *Id*

Further, DOE stated that the Federal test procedure measures flow rate and spray force at a singular, representative water pressure and adding a PCA would not change the flow rate or spray force at DOE's test pressure. *Id.* DOE requested comment on its determination that PCAs would not change the flow rate or spray force at DOE's test pressure. *Id.*

In response to the August 2021 NOPD, the CA IOUs agreed that PCAs would not change the flow rate or spray force under DOE's test procedure. (CA IOUs, No. 18 at p. 2) The CA IOUs recommended DOE require testing at two test pressures, 40 psi and 60 psi, so that PCAs can be included in the engineering analysis. (*Id.* at p. 2) Similarly, NEEA recommended DOE require testing at both 60 psi and 40 psi and include PCAs as a technology option to increase customer satisfaction. (NEEA, No. 19 at pp. 3–4) NEEA asserted that under DOE's existing test procedure there is limited opportunity for efficiency improvements and that requiring testing at more pressures could prevent product class switching and encourage PCAs as a technology option. (NEEA, No. 19 at p. 1) NEEA commented that DOE amending the test procedure to require testing at lower pressures would encourage technologies, such as PCAs, that increase customer satisfaction at lower flow rates. (NEEA, No. 19 at p. 1–2)

In the March 2022 TP Final Rule, DOE amended its test procedure to explicitly permit voluntary testing at alternative pressures in addition to testing at 60 psi. 87 FR 13901, 13906. This amendment permits manufacturers to market any potential benefits of PCAs at alternate pressures. DOE notes, however, the test pressure specified in 10 CFR 431.264 is based on ASTM F2324, which is an industry consensus standard that includes input from a wide variety of national stakeholders and was corroborated with the data compiled for a prior test procedure rulemaking. *Id.* DOE noted that it has not received any new data indicating that an alternative test pressure would be more representative. *Id.*

Moreover, relative to a CPSV without a PCA, a CPSV with a PCA would have greater water usage at pressures below 60 psi and lesser water usage at pressures above 60 psi. As such, PCAs may not represent a technology option that saves any water because low-pressure applications would consume more water than applications at the representative pressure of 60 psi. Accordingly, DOE does not consider PCAs as a technology option that would save energy or water.

In summary, for this analysis, DOE considers the technology options shown

[10] A venturi meter is a nozzle where the fluid accelerates through a converging cone of 15–20 degrees. An orifice plate is a flat plate with a circular hole drilled in it.

in Table IV.1. Detailed descriptions of these technology options can be found in chapter 3 of the final determination TSD.

TABLE IV.1—COMMERCIAL PRERINSE SPRAY VALVES TECHNOLOGY OPTIONS

Technology option
Addition of Flow Control Insert.
Smaller Spray Hole Area.
Aerators.
Additional Valves.
Changing Spray Hole Shape.
Venturi Meter to Orifice Plate Nozzle Geometries.

B. Screening Analysis

DOE uses the following five screening criteria to determine which technology options are suitable for further consideration in an energy conservation standards rulemaking:

(1) *Technological feasibility.* Technologies that are not incorporated in commercial products or in working prototypes will not be considered further.

(2) *Practicability to manufacture, install, and service.* If it is determined that mass production and reliable installation and servicing of a technology in commercial products could not be achieved on the scale necessary to serve the relevant market at the time of the projected compliance date of the standard, then that technology will not be considered further.

(3) *Impacts on product utility or product availability.* If it is determined that a technology would have significant adverse impact on the utility of the product to significant subgroups of consumers or would result in the unavailability of any covered product type with performance characteristics (including reliability), features, sizes, capacities, and volumes that are substantially the same as products generally available in the United States at the time, it will not be considered further.

(4) *Adverse impacts on health or safety.* If it is determined that a technology would have significant adverse impacts on health or safety, it will not be considered further.

(5) *Unique Pathway Proprietary Technologies.* If a design option utilizes proprietary technology that represents a unique pathway to achieving a given efficiency level, that technology will not be considered further due to the potential for monopolistic concerns.

Sections 6(b)(3) and 7(b) of appendix A to 10 CFR part 430, subpart C.

In summary, if DOE determines that a technology, or a combination of technologies, fails to meet one or more of the listed five criteria, it will be excluded from further consideration in the engineering analysis.

1. Screened Out Technologies

In the August 2021 NOPD, DOE proposed to screen out the same technology options from the January 2016 Final Rule, which were addition of flow control insert, aerators, and additional valves. 86 FR 46330, 46336. DOE's review of the market continues to support DOE's prior determination that these technologies are not suitable for further consideration because they are not included in any commercially available products or working prototypes and therefore do not meet the screening criteria for technologically feasibility, as discussed in chapter 4 of the final determination TSD. DOE did not receive any comment suggesting including any of these technology options. Therefore, DOE has maintained the proposed August 2021 NOPD conclusions and has screened out the same technology options as presented in Table IV.2.

TABLE IV.2—SCREENED OUT TECHNOLOGY OPTIONS

Screened technology option	Screening criteria (X = basis for screening out)				
	Technological feasibility	Practicability to manufacture, install, and service	Adverse impact on product utility	Adverse impacts on health and safety	Unique pathway proprietary technologies
Addition of Flow Control Insert	X				
Aerators	X				
Additional Valves	X				

2. Remaining Technologies

After reviewing each technology, DOE did not screen out the following technology options and considers them as design options in the engineering analysis, consistent with the August 2021 NOPD:

- smaller spray hole area,
- changing spray hole shape, and
- venturi meter to orifice plate nozzle geometries.

DOE determined that these technology options are technologically feasible because they are being used or have previously been used in commercially available products or working prototypes. Also, these remaining technology options meet the other screening criteria (*i.e.,* practicable to manufacture, install, and service and do not result in adverse impacts on consumer utility, product availability, health, or safety). For additional details, see chapter 4 of the final determination TSD.

3. Product Classes

In general, when evaluating and establishing energy conservation standards, DOE divides the covered product into classes by (1) the type of energy used, (2) the capacity of the product, or (3) any other performance-related feature that affects energy efficiency and justifies different standard levels, considering factors such as consumer utility. (42 U.S.C. 6295(q))

For CPSVs, the current energy conservation standards specified in 10 CFR 431.266 are based on three product classes determined according to spray force, which is a performance-related feature that provides utility to the consumer. ''Spray force'' is defined as the amount of force exerted onto the spray disc, measured in ounce-force (''ozf''). 10 CFR 431.262. Table IV.3 lists the current three product classes for CPSVs.

TABLE IV.3—CURRENT COMMERCIAL PRERINSE SPRAY VALVE PRODUCT CLASSES

Product class	Spray force in ounce-force (ozf)
Product Class 1	≤5.0 ozf.
Product Class 2	>5.0 ozf and ≤8.0 ozf.
Product Class 3	>8.0 ozf.

These product classes were based on previous market research that identified three distinct end-user applications requiring differing amounts of spray force: (1) cleaning delicate glassware and removing loose food particles from dishware (which requires the least amount of spray force), (2) cleaning wet food, and (3) cleaning baked-on foods

(which requires the greatest amount of spray force). 81 FR 4748, 4758–4759.

In the August 2021 NOPD, DOE proposed to maintain the existing product class structure for the analysis conducted. 86 FR 46330, 46337. In response, DOE received comments from the CA IOUs and Efficiency Advocates suggesting DOE consider an alternate approach using an equation-based standard where the maximum water flow rate of a product is calculated based on its measured spray force. (CA IOUs, No. 18 at pp. 1–2; Efficiency Advocates, No. 17 at pp. 1–2) Upon further review, DOE has determined that an equation-based standard would limit the design flexibility regarding nozzle and valve characteristics for consumers and manufacturers while not yielding any water or energy savings. Further discussion on this topic is provided in section IV.C.1.b of this document.

In this final determination, DOE continues to conclude that the current three product class structure is appropriate and has maintained the same approach.

4. Market Assessment

For this final determination, DOE relied on government databases, retail listings, and industry publications (*e.g.,* manufacturer catalogs) to assess the overall state of the industry. DOE used this market analysis to generate the shipments analysis, discussed in section IV.G. of this document. DOE maintained the nearest neighbor switching assumptions [11] proposed in the August 2021 NOPD, as discussed in section IV.G.

C. Engineering Analysis

The purpose of the engineering analysis is to establish the relationship between the efficiency and cost of CPSVs. There are two elements to consider in the engineering analysis: the selection of efficiency levels to analyze (*i.e.,* the ''efficiency analysis'') and the determination of product cost at each efficiency level (*i.e.,* the ''cost analysis''). In determining the performance of more efficient products, DOE considers technologies and design option combinations not eliminated by the screening analysis. For each product class, DOE estimates the baseline cost, as well as the incremental cost for the product at efficiency levels above the baseline. The output of the engineering analysis is a set of cost efficiency ''curves'' that are used in downstream analyses (*i.e.,* the LCC and PBP analyses and the NIA).

1. Efficiency Analysis

DOE typically uses one of two approaches to develop energy efficiency levels for the engineering analysis: (1) relying on observed efficiency levels in the market (*i.e.,* the efficiency level approach), or (2) determining the incremental efficiency improvements associated with incorporating specific design options to a baseline model (*i.e.,* the design option approach). Using the efficiency level approach, the efficiency levels established for the analysis are determined based on the market distribution of existing products (in other words, based on the range of efficiencies and efficiency level ''clusters'' that already exist on the market). Using the design option approach, the efficiency levels established for the analysis are determined through detailed engineering calculations and/or computer simulations of the efficiency improvements from implementing specific design options that have been identified in the technology assessment. DOE may also rely on a combination of these two approaches. For example, the efficiency level approach (based on actual products on the market) may be extended using the design option approach to interpolate to define ''gap fill'' levels (to bridge large gaps between other identified efficiency levels) and/or to extrapolate to the max-tech level (particularly in cases where the ''max-tech'' level exceeds the maximum efficiency level currently available on the market).

In this final determination, just like what was proposed in the August 2021 NOPD and the January 2016 Final Rule, DOE is adopting a design option approach. The analysis is performed in terms of incremental increases in efficiency (decreases in flow rate) due to implementation of selected design options.

a. Baseline Efficiency Levels

For each product class, DOE generally selects a baseline model as a reference point for each class, and measures changes resulting from potential energy conservation standards against the baseline. The baseline model in each product class represents the characteristics of a product typical of that class (*e.g.,* capacity, physical size). Generally, a baseline model is one that just meets current energy conservation standards, or, if no standards are in place, the baseline is typically the most common or least efficient unit on the market.

The current minimum energy conservation standards represent the baseline efficiency levels for each product class. The current standards for each product class are based on flow rate in gpm.

b. Higher Efficiency Levels

As part of DOE's analysis, the maximum available efficiency level is the highest efficiency (*i.e.,* lowest water use in a given product class) unit currently available on the market. DOE also defines a max-tech efficiency level to represent the maximum possible efficiency for a given product.

In the August 2021 NOPR, DOE presented the max-tech CPSV for each product class. 86 FR 46330, 46338. DOE noted that product class 2 and product class 3 were consistent with the max-tech values used in the January 2016 Final Rule, while a new max-tech had been identified for product class 1.[12] DOE did not receive any comment suggesting the max-tech values were inappropriate. DOE has used the max-tech efficiency level flow rates presented in Table IV.4 in this analysis.

TABLE IV.4—MAXIMUM EFFICIENCY LEVELS CURRENTLY AVAILABLE

Product class	Flow rate (gpm)
Product Class 1	0.45
Product Class 2	0.73
Product Class 3	1.13

In the January 2016 Final Rule, DOE presented a theoretical linear relationship between CPSV flow rate and spray force, derived from both Bernoulli's principle of incompressible flow and the concept of conservation of mass in a fluid system. 81 FR 4748, 4762. DOE had verified this linear relationship through market testing of available products and close matching between the theoretical relationship and the flow rates and spray forces of available products. *Id.* In the August 2021 NOPD, DOE stated that it continued to use the linear relationship between CPSV flow rate and spray force in its engineering analysis. 86 FR 46330, 46339. Specifically, in chapter 5 of the August 2021 NOPD TSD,[13] DOE discusses that while DOE generally

[11] In this scenario, consumers would choose the product with the flow rate that is closest to their current product flow rate, even if it has a higher spray force (thus product class switching). Under the nearest neighbor scenario, DOE assumed 100 percent of consumers would choose the closest flow rate. 86 FR 46330, 64344.

[12] The new max-tech model utilizes a smaller spray hole area to further reduce flow rate. This is not a new technology option; rather, it is further utilizing a technology option considered during the January 2016 Final Rule.

[13] Chapter 5 of the August 2021 NOPD TSD is available at *www.regulations.gov/document/EERE-2019-BT-STD-0034-0010.*

relied on manufacturer reported spray force data and prior DOE testing to characterize the range of spray forces available on the market, DOE used the linear relationship to inform how various technology options that reduce flow rate would impact spray force. The relationship between flow rate and spray force is given below:

$$[\text{Flow Rate (gpm)}] = 0.15 * [\text{Spray Force (ozf)}]$$ [14]

Equation 1

In response to the August 2021 NOPD, both the Efficiency Advocates and CA IOUs commented that there are spray valves in the DOE Compliance Certification Database (''CCD'') with similar flow rate and a range of spray forces, suggesting manufacturers may be able to reduce flow rate without losing spray force. Accordingly, both recommended that DOE consider setting maximum flow rate standard based on a linear relationship that incorporates spray force. (Efficiency Advocates, No. 17 at pp. 1–2; CA IOUs, No. 18 at pp. 1–2)

DOE notes that the equation relating spray force and flow rate is theoretical and while it aligns well with what DOE has observed in the industry, there is going to be some amount of deviation observed in industry as the theoretical relationship does not perfectly translate to the real world. The theoretical relationship includes assumptions about ideal flow through a nozzle, which assumes certain factors are constant (*i.e.,* uniform velocity profile, viscosity, turbulence, etc.). While these terms can generally be treated as constant in modeling and estimating, they are present in real world applications. Therefore, the linear equation is approximately accurate for modeling what the theoretical spray force would be for a given flow rate. As discussed previously, DOE used the equation in the engineering analysis only to inform how various technology options that reduce flow rate would impact spray force.

Setting an efficiency standard based on the equation, however, would allow for very little freedom in manufacturer designs and little tolerance for deviations beyond the theoretical linear relationship between spray force and flow rate. DOE has previously acknowledged that other characteristics beyond spray force, including spray shape and the amount of splash back, could also affect consumer utility of CPSVs. 81 FR 4748, 4759. An equation-based standard could run the risk of only permitting certain spray shapes and splash back characteristics to meet this theoretical equation-based standard. In other words, an equation-based standard could require spray valve designs that have minimal deviation from the ideal flow assumptions included in the derivation of Equation 1. In effect, an equation-based approach could force all CPSVs to look exactly the same. Conversely, keeping the proposed approach of one flow rate standard per product class continues to allow for some flexibility and tolerance in design.

The CA IOUs and Efficiency Advocates further suggested that an equation-based efficiency standard would encourage products that deliver a higher spray force while reducing flow rate (and in turn, reducing water consumption). (Efficiency Advocates, No. 17 at p. 1; CA IOUs, No. 18 at p. 1) The Efficiency Advocates also suggested that an equation-based approach would reduce the likelihood of product switching. (Efficiency Advocates, No. 17 at p. 1)

DOE does not agree that an equation-based standard would reduce product switching. A CPSV could be designed to achieve the hypothetical equation-based standard by either changing the spray force, or by changing the flow rate. The Efficiency Advocates' suggestion is premised on consumers selecting products based on spray force (*i.e.,* under an equation-based standard consumers would select the lowest flow rate that provides the desired spray force). DOE's review of the market indicates that manufacturers typically advertise only flow rate, suggesting that in selecting CPSVs, flow rate is the more determinative characteristic. Accordingly, DOE's analysis assumes that consumers switch to the nearest flow rate, not nearest spray force (*i.e.,* nearest neighbor, as discussed in section IV.H of this document).

With an equation-based approach, consumers would continue to choose the product with the flow rate that is closest to the desired flow rate; therefore, there would be zero water savings. DOE has previously relied on the nearest neighbor assumption and requested comment on it several times. 86 FR 46330, 46344–46345; 80 FR 39486, 39538 (Jul. 9, 2015). DOE has not received comment to the contrary. DOE sees no advantage in an equation-based standard for CPSVs and therefore has maintained the existing product class structure in the analysis supporting this final determination.

2. Cost Analysis

The cost analysis portion of the engineering analysis is conducted using one cost approach or a combination of cost approaches. The selection of cost approach depends on a suite of factors, including the availability and reliability of public information, characteristics of the regulated product, and the availability and timeliness of purchasing the product on the market. The cost approaches are summarized as follows:

- *Physical teardowns:* Under this approach, DOE physically dismantles a commercially available product, component-by-component, to develop a detailed bill of materials (''BOM'') for the product.
- *Catalog teardowns:* In lieu of physically deconstructing a product, DOE identifies each component using parts diagrams (available from manufacturer websites or appliance repair websites, for example) to develop the BOM for the product.
- *Price surveys:* If neither a physical nor catalog teardown is feasible (*e.g.,* for tightly integrated products such as fluorescent lamps, which are infeasible to disassemble and for which parts diagrams are unavailable) or cost-prohibitive and otherwise impractical (*e.g.,* large commercial boilers), DOE conducts price surveys using publicly available pricing data published on major online retailer websites and/or by soliciting prices from distributors and other commercial channels.

In the August 2021 NOPD, DOE stated that it did not observe any new technology options since the January 2016 Final Rule, and therefore, updated the cost analysis from the January 2016 Final Rule to be representative of the market in 2020. 86 FR 46330, 46339. DOE updated the material prices of each component of the previously torn down CPSVs and updated the labor,

[14] *See* chapter 5 of the August 2021 NOPD TSD.

depreciation, utilities, maintenance, tax, and insurance costs. DOE did not include any CPSVs that have exited the market or had their design modified since they were torn down. The resulting BOM provided the basis for the manufacturer production cost (''MPC'') estimates. The updated costs reaffirmed that there are differences in manufacturing costs between units from different manufacturers. However, none of the differences are directly related to the efficiency of a CPSV. Rather, the differences were primarily due to differences in the type and amount of material used (*e.g.,* plastic versus brass or stainless steel spray nozzles). Therefore, DOE concluded that MPC was unaffected by efficiency level, both within product classes and across product classes. *Id.*

In the August 2021 NOPD, DOE requested comment and data regarding any changes in MPC that would not be accounted for by updating the cost analysis of the previously conducted product teardowns. Further, DOE requested any data that would contradict its determination of no incremental cost associated with improvements in efficiency of CPSVs. *Id.*

DOE did not receive any comments regarding the cost analysis conclusions presented in the August 2021 NOPD. DOE continues to conclude that MPC is unaffected by efficiency level, same as the conclusion from the August 2021 NOPD and the January 2016 Final Rule (*i.e.,* MPC remains constant across all product classes). As such, the resulting cost analysis provided the basis for the MPC estimates.

To account for manufacturers' non-production costs and profit margin, DOE applies a non-production cost multiplier (the manufacturer markup) to the MPC. The resulting manufacturer selling price (''MSP'') is the price at which the manufacturer distributes a unit into commerce. DOE developed an average manufacturer markup by examining the annual Securities and Exchange Commission (''SEC'') 10–K reports filed by publicly traded manufacturers primarily engaged in appliance manufacturing and whose combined product range includes CPSVs. The manufacturer markup is discussed in more detail in section IV.I.2.d of this document.

3. Cost Efficiency Results

The results of the engineering analysis are reported as cost efficiency data and indicate that manufacturing production costs are unaffected by efficiency level within a product class and across product classes. Therefore, DOE determined the final MPC as the average MPC of all CPSVs. The summary of the cost efficiency relationships for product classes 1, 2, and 3 are presented in Table IV.5, Table IV.6, and Table IV.7, respectively. See chapter 5 of the final determination TSD for additional detail on the engineering analysis and complete cost efficiency results.

TABLE IV.5—COST EFFICIENCY RELATIONSHIP FOR PRODUCT CLASS 1

[Spray force ≤5.0 ozf]

Efficiency level	Efficiency level description	Flow rate (*gpm*)	Manufacturer production cost (*2020$*)	Incremental cost over baseline (*$*)
Baseline	Current Federal standard	1.00	$26.91	$0.00
Level 1	15% improvement over Federal standard	0.85	26.91	0.00
Level 2	25% improvement over Federal standard	0.75	26.91	0.00
Level 3	Maximum technologically feasible (max-tech)	0.45	26.91	0.00

TABLE IV.6—COST EFFICIENCY RELATIONSHIP FOR PRODUCT CLASS 2

[Spray force >5.0 ozf and ≤8.0 ozf]

Efficiency level	Efficiency level description	Flow rate (*gpm*)	Manufacturer production cost (*2020$*)	Incremental cost over baseline (*$*)
Baseline	Current Federal standard	1.20	$26.91	$0.00
Level 1	15% improvement over Federal standard	1.02	26.91	0.00
Level 2	25% improvement over Federal standard	0.90	26.91	0.00
Level 3	Maximum technologically feasible (max-tech)	0.73	26.91	0.00

TABLE IV.7—COST EFFICIENCY RELATIONSHIP FOR PRODUCT CLASS 3

[Spray force >8.0 ozf]

Efficiency level	Efficiency level description	Flow rate (*gpm*)	Manufacturer production cost (*2020$*)	Incremental cost over baseline (*$*)
Baseline	Current Federal standard	1.28	$26.91	$0.00
Level 1	Maximum technologically-feasible (max-tech)	1.13	26.91	0.00

See chapter 5 of the final determination TSD for additional detail on the engineering analysis and complete cost efficiency results.

D. Markups Analysis

The markups analysis develops appropriate markups (*e.g.,* retailer markups, distributor markups, contractor markups) in the distribution chain and sales taxes to convert the MSP estimates derived in the engineering analysis to consumer prices,

which are then used in the LCC and PBP analysis and in the manufacturer impact analysis (''MIA''). At each step in the distribution channel, companies mark up the price of the product to cover business costs and profit margin.

DOE requested comment in the June 2020 RFI regarding markups per distribution channel as well as the portion of equipment sold via each distribution channel. 85 FR 35383, 35390 (Jun. 10, 2020). DOE did not receive any comments related to markups per distribution channel.

For commercial prerinse spray valves, the main parties in the distribution chain are manufacturers, distributors, retailers, and service companies. Each party in the distribution chain sells to the final consumer. Table IV.8 provides the portion of equipment passing through different distribution channels that DOE included in the August 2021 NOPD. 86 FR 46330, 46340.

TABLE IV.8—COMMERCIAL PRERINSE SPRAY VALVE DISTRIBUTION CHANNELS

Channel	Pathway	Percentage through channel
A	Manufacturer → Final Consumer (Direct Sales)	17
B	Manufacturer → Authorized Distributor → Final Consumer	33
C	Manufacturer → Retailer → Final Consumer	17
D	Manufacturer → Service Company → Final Consumer	33

DOE developed baseline markups for each entity in the distribution chain. Baseline markups are multipliers that convert the MSP of equipment at the baseline efficiency level to consumer purchase price. Incremental markups are multipliers that convert the incremental increase in MSP for a product at each higher efficiency level (compared to the MSP at the baseline efficiency level) to the corresponding purchase price. In the analysis for the August 2021 NOPD, DOE used only baseline markups, as the engineering analysis indicated that there is no price increase with improvements in efficiency for commercial prerinse spray valves.

DOE relied on annual reports and SEC 10–K reports from public companies in the different distribution channels to estimate average baseline markups. Table IV.9 provides the markups for each distribution channel that DOE used in the NOPD analysis. 86 FR 46330, 46340–46341.

TABLE IV.9—COMMERCIAL PRERINSE SPRAY VALVE BASELINE CHANNELS

Channel	Pathway	Baseline markup
A	Manufacturer → Final Consumer (Direct Sales)	1.72
B	Manufacturer → Authorized Distributor → Final Consumer	1.72
C	Manufacturer → Retailer → Final Consumer	1.52
D	Manufacturer → Service Company → Final Consumer	1.87

DOE did not receive any comments regarding the markups presented in the August 2021 NOPD. DOE used these markup values in the final determination analysis.

Sales tax also factors into the mark-ups. DOE did not receive any comments related to sales tax in response to the August 2021 NOPD. However, DOE updated the sales tax to reflect the 2022 sales tax and weighted by 2022 population. The change in sales tax between the August 2021 NOPD and this final determination is a small increase in national average sales tax.

Chapter 6 of the final determination TSD provides details on DOE's development of markups for CPSVs.

E. Energy and Water Use Analysis

The purpose of the energy use analysis is to determine the annual energy consumption of CPSVs at different efficiencies in representative U.S. commercial buildings, and to assess the energy savings potential of increased CPSV efficiency. The energy use analysis estimates the range of energy use of CPSVs in the field (*i.e.,* as they are actually used by consumers). The energy use analysis provides the basis for other analyses DOE performed, particularly assessments of the energy savings and the savings in consumer operating costs that could result from adoption of amended or new standards. DOE proposed to the use the same energy and water use analysis process from the January 2016 Final Rule in the August 2021 NOPD. 86 FR 46330, 46341.

As discussed in section IV.C.1 of this document, DOE developed flow rates for each efficiency level analyzed in the engineering analysis. DOE calculated the energy and water use by determining the representative daily operating time of the product by major building types that contain commercial kitchens found in the 2012 Commercial Building Energy Consumption Survey (''CBECS'').[15] The daily CPSV operating time was annualized based on operating schedules for each building type. In the June 2020 RFI, DOE presented CPSV annual operating hours and requested comment on those hours. 85 FR 35383, 35390. DOE did not receive any comments related to operating hours. DOE also received no comments to the August 2021 NOPD related to operating hours. However, after the August 2021 NOPD was published, 2018 CBECS was released. For this final determination, DOE used operating hours from the 2018 CBECS. There were no major differences in operating hours or water usage between CBECS 2012 and CBECS 2018. However, the mixture of fuel type for water heaters changed between CBECS 2012 and CBECS 2018 to a slightly larger amount of natural gas water heaters in CBECS 2018 compared to CBECS 2012. Although the efficiency values did not change between the NOPD and this final determination, the energy and water use values slightly

[15] U.S. Department of Energy–Energy Information Administration. *Commercial Building Energy Consumption Survey.* 2020. Washington, DC. Available at *www.eia.gov/consumption/commercial/data/2012/.*

changed. The differences in energy and water use stem from the change in water heater mixture use as well as small reduction in operating hours from the update of CBECS 2018. Water use for each equipment class was determined by multiplying the annual operating time by the flow rate and operating pressure of 60 psi for each efficiency level. DOE requested comment in the June 2020 RFI requesting feedback related to the typical operating pressure of the water typically supplied to commercial prerinse spray valves and DOE's assumption of 60 psi. 85 FR 35383, 35390. PMI concurred with this operating pressure and stated that 60 ± 2 psi is representative of the average U.S. water pressure in commercial kitchens. (PMI, No. 4 at pp. 4–5)

DOE used 60 psi operating pressure in the August 2021 NOPD. 86 FR 46330, 46341. DOE did not receive any comments related to operating pressure and retained the 60 psi value for this final determination.

In the August 2021 NOPD, energy use was calculated by multiplying the annual water use in gallons by the energy required to heat each gallon of water to an end-use temperature of 108 °F. DOE requested comment in the June 2020 RFI related to the end-use water temperature of the water leaving the CPSVs and any related supporting data. 85 FR 35383, 35390. In response to the June 2020 RFI, PMI stated that it was not aware of any data or market information that suggested a different temperature than the 108 °F end-use temperature. (PMI, No. 4 at p. 5) In this final determination as DOE did in the NOPD, cold water supply temperatures used in the energy use calculation were derived for the nine U.S. census regions based on ambient air temperatures, and hot water supply temperature was assumed to be 140 °F based on American Society of Heating, Refrigerating, and Air-Conditioning Engineers (''ASHRAE'') Standard 12–2020.[16] DOE did not receive any comments related to the energy use methodology used in the August 2021 NOPD. DOE used the same process for energy and water use analysis with the exception of using the more current 2018 CBECS data for this final determination.

Chapter 7 of the final determination TSD provides details on DOE's energy use analysis for commercial prerinse spray valves.

F. Life-Cycle Cost and Payback Period Analysis

DOE conducted LCC and PBP analyses to evaluate the economic impacts on individual consumers of potential energy conservation standards for CPSVs.[17] The effect of new or amended energy conservation standards on individual consumers usually involves a reduction in operating cost and an increase in purchase cost. DOE used the following two metrics to measure consumer impacts:

- The LCC is the total consumer expense of an appliance or product over the life of that product, consisting of total installed cost (MSP, distribution chain markups, sales tax, and installation costs) plus operating costs (expenses for energy use, maintenance, and repair). To compute the operating costs, DOE discounts future operating costs to the time of purchase and sums them over the lifetime of the product.
- The PBP is the estimated amount of time (in years) it takes consumers to recover the increased purchase cost (including installation) of a more efficient product through lower operating costs. DOE calculates the PBP by dividing the change in purchase cost at higher efficiency levels by the change in annual operating cost for the year that amended or new standards are assumed to take effect.

For any given efficiency level, DOE measures the change in LCC relative to the LCC in the no-new-standards case, which reflects the estimated efficiency distribution of CPSVs in the absence of new or amended energy conservation standards. In contrast, the PBP for a given efficiency level is measured relative to the baseline product.

Inputs to the calculation of total installed cost include the cost of the product—which includes MPCs, manufacturer markups, retailer and distributor markups, and sales taxes—and installation costs. Inputs to the calculation of operating expenses include annual energy consumption, energy prices and price projections, repair and maintenance costs, product lifetimes, and discount rates. DOE created distributions of values for product lifetime, discount rates, and sales taxes, with probabilities attached to each value, to account for their uncertainty and variability.

The computer model DOE uses to calculate the LCC and PBP relies on a Monte Carlo simulation to incorporate uncertainty and variability into the analysis. The Monte Carlo simulations randomly sample input values from the probability distributions and CPSV user samples. For this determination, the Monte Carlo approach is implemented in Microsoft Excel together with the Crystal Ball™ add-on.[18] The model calculated the LCC and PBP for products at each efficiency level for 10,000 CPSV users per simulation run. The analytical results include a distribution of 10,000 data points showing the range of LCC savings for a given efficiency level relative to the no-new-standards case efficiency distribution. The LCC savings are the summation of the differences in LCC between a given efficiency level and the standard level under consideration, weighted by the percent of consumers who are at that given efficiency level relative to all consumers who are affected. For product efficiencies greater than or equal to the efficiency of the standard level under consideration, the LCC and PBP calculations reveal that a consumer is not impacted by the standard level. By accounting for consumers who already purchase more efficient products, DOE avoids overstating the potential benefits from increasing product efficiency.

DOE calculated the LCC and PBP for all consumers of CPSVs as if each were to purchase a new product in the expected year of required compliance with new or amended standards. Any amended standards would apply to CPSVs manufactured 3 years after the date on which any new or amended standard is published, consistent with the 3-year compliance period used during the January 2016 Final Rule. 81 FR 4748, 4764–4765. For purposes of its analysis, DOE used 2027 as the first year of compliance with any amended standards for CPSVs.

Table IV.10 summarizes the approach and data DOE used to derive inputs to the LCC and PBP calculations. The subsections that follow provide further discussion. Details of the spreadsheet model, and of all the inputs to the LCC and PBP analyses, are contained in chapter 8 of the final determination TSD and its appendices.

[16] ASHRAE. 2020. *ASHRAE Standard 12–2020: Managing the Risk of Legionellosis Associated with Building Water Systems.*

[17] The original NOPD (86 FR 46330) published on August 18, 2021 accidentally omitted a few pages of this introductory section. The omitted text was addressed during the public meeting webinar held on September 1, 2021, (see EERE–2019–BT–STD–0034–0013) as well as via an email distributed on September 22, 2021.

[18] Crystal Ball™ is a commercially-available software tool to facilitate the creation of these types of models by generating probability distributions and summarizing results within Excel, available at *www.oracle.com/technetwork/middleware/crystalball/overview/index.html.*

TABLE IV.10—SUMMARY OF INPUTS AND METHODS FOR THE LCC AND PBP ANALYSIS *

Inputs	Source/Method
Product Cost	Derived by multiplying MPCs by manufacturer and retailer markups and sales tax, as appropriate.
Installation Costs	Baseline installation cost determined with data from U.S. Department of Labor and U.S. Bureau of Labor Statistics. Assumed no change with efficiency level.
Annual Energy Use	The energy use multiplied by the average hours per year. Average number of hours based on field data. Variability: Based on the 2018 CBECS.
Energy Prices	Electricity: Based on the U.S. Energy Information Administration ("EIA") Form 861 data for 2020. Variability: Regional energy prices determined for 27 regions.
Energy Price Trends	Based on the *Annual Energy Outlook 2021* ("*AEO2021*") price projections.
Repair and Maintenance Costs	Assumed no change with efficiency level.
Product Lifetime	Average: 5 years.
Discount Rates	Approach involves identifying all possible debt or asset classes that might be used to purchase the considered appliances or might be affected indirectly. Primary data source was the Federal Reserve Board's Survey of Consumer Finances.
Compliance Date	2027.

* References for the data sources mentioned in this table are provided in the sections following the table or in chapter 8 of the final determination TSD.

1. Product Cost

To calculate consumer product costs, DOE multiplied the MSPs developed in the engineering analysis by the distribution channel markups described in section IV.D of this document (along with sales taxes). As stated earlier in this document, DOE used baseline markups, but did not apply incremental markups because the engineering analysis indicated that there is no price increase with improvements in efficiency for CPSVs.

In prior energy conservation standards rulemakings, DOE estimated the total installed costs per unit for product and then assumed that costs remain constant throughout the analysis period. This assumption is conservative because product costs tend to decrease over time. In 2011, DOE published a notice of data availability ("NODA") titled *Equipment Process Forecasting in Energy Conservation Standards Analysis.* 76 FR 9696 (Feb. 22, 2011). In the NODA, DOE proposed a methodology for determining whether equipment process have trended downward in real terms. The methodology examines so-called price or experimental learning, wherein, with ever-increasing experience with the production of a product, manufacturers are able to reduce their production costs through innovations in technology and process.

CPSVs are formed metal devices. Neither changes in technology nor process are expected to occur to change the price of the product in this analysis. For this analysis, DOE assumed that product costs remain constant over the analysis period. This is consistent with the January 2016 Final Rule. 81 FR 4748, 4767.

2. Installation Cost

Installation cost includes labor, overhead, and any miscellaneous materials and parts needed to install the product. DOE used data from the U.S. Department of Labor to estimate the baseline installation cost for CPSVs. In the August 2021 NOPD, DOE found no evidence that the installation costs would be affected by increased efficiency levels, which was consistent with the January 2016 Final Rule. 86 FR 46330, 46342. DOE received no comments related to installation costs. In this final determination, DOE did not vary installation costs with efficiency levels.

3. Annual Energy Consumption

For each sampled CPSV user, DOE determined the energy consumption for a CPSV at different efficiency levels using the approach described previously in section IV.E of this document.

4. Energy Prices

In the August 2021 NOPD, DOE derived average annual commercial electricity prices for 27 geographic regions using data from the U.S. Energy Information Administration ("EIA") Form EIA–861 database (based on the "Annual Electric Power Industry Report").[19] DOE derived average natural gas prices using data from EIA's natural gas prices.[20]

To estimate energy prices in future years, DOE multiplied the average regional energy prices by a projection of annual change in national average commercial energy price in *AEO*2021.[21] *AEO2021* has an end year of 2050. To estimate price trends after 2050, DOE used the average annual rate of change in prices from 2040 through 2050.

DOE received no comments related to energy prices. DOE used the same methodology for this final determination.

5. Water and Wastewater Prices

For the analysis presented in the August 2021 NOPD, DOE obtained data on water and wastewater prices from the 2019 American Water Works Association ("AWWA") surveys for this analysis.[22] For each State and the District of Columbia, DOE combined all individual utility observations within the State to develop one value for water and wastewater service. Because water and wastewater charges are frequently tied to the same metered commodity values, DOE combined the prices for water and wastewater into one total dollar per thousand gallons amount.

[19] Available at *www.eia.doe.gov/cneaf/electricity/page/eia861.html.*

[20] Available at *www.eia.gov/dnav/ng/ng_pri_sum_a_EPG0_PCS_DMcf_m.htm.*

[21] U.S. Department of Energy—Energy Information Administration. *Annual Energy Outlook 2021 with Projections to 2050.* 2021. Washington, DC (AEO2021). Available at *www.eia.gov/outlooks/aeo/.*

[22] American Water Works Association. *2019 Water and Wastewater Rate Survey.* 2019. Available at *www.awwa.org/Store/2019-Water-and-Wastewater-Rate-Survey--Digital-Set/ProductDetail/79004009.*

This amount is referred to as the combined water price. DOE used the consumer price index (''CPI'') data for water related consumption (1974–2019) in developing a real growth rate for combined water price forecasts. DOE requested comment in the June 2020 RFI whether a different water price dataset should be considered. 85 FR 35383, 35391. DOE received no comments related to water price datasets in response to either the June 2020 RFI or the August 2021 NOPD. DOE used the same methodology for this final determination.

Chapter 8 of the final determination TSD provides more detail about DOE's approach to developing water and wastewater prices.

6. Maintenance and Repair Costs

Repair costs are associated with repairing or replacing product components that have failed in an appliance; maintenance costs are associated with maintaining the operation of the product. Typically, small incremental increases in product efficiency produce no, or only minor, changes in repair and maintenance costs compared to baseline efficiency products. DOE requested comment in the June 2020 RFI on the assumption of zero maintenance and repair costs upon failure. DOE assumed that consumers would replace the CPSV upon failure rather than repairing the product. 85 FR 35383, 35391. DOE also requested comment if these changes would differ per efficiency level. *Id.* DOE received no comments related to maintenance nor repair costs.

For the analysis presented in the August 2021 NOPD, DOE modeled CPSVs as not being repaired, and no maintenance costs. Additionally, DOE modeled no changes in maintenance or repair costs between different efficiency levels. DOE received no comments related to this assumption in the August 2021 NOPD. In this final determination, DOE assumed CPSVs as not being repaired, and no maintenance costs.

7. Product Lifetime

For CPSVs, DOE used lifetime estimates from manufacturer datasheets and other published data sources. DOE requested comment in the June 2020 RFI regarding lifetime and lifetime distributions, and restated the values from the January 2016 Final Rule—an average lifetime of 5 years and maximum of 10 years. 85 FR 35383, 35391. DOE did not receive any comments related to lifetime of CPSVs in response to the June 2020 RFI.

For the analysis presented in the August 2021 NOPD, DOE developed a Weibull distribution with an average lifetime of 5 years and a maximum lifetime of 10 years. The use of a lifetime distribution for this analysis helps account for the variability in product lifetimes. DOE received no comments related to the lifetime values or distribution in response to the August 2021 NOPD. In this final determination, DOE assumed the same life values and distributions as in the August 2021 NOPD.

8. Discount Rates

In the calculation of LCC, DOE applies discount rates appropriate to CPSV users to estimate the present value of future operating costs. DOE estimated a distribution of commercial discount rates for CPSVs based on consumer financing costs and the opportunity cost of consumer funds.

DOE applies weighted-average discount rates calculated from consumer debt and asset data, rather than marginal or implicit discount rates.[23] DOE notes that the LCC does not analyze the appliance purchase decision, so the implicit discount rate is not relevant in this model. The LCC estimates NPV over the lifetime of the product, so the appropriate discount rate will reflect the general opportunity cost of commercial consumer funds, taking this time scale into account. Given the long-time horizon modeled in the LCC, the application of a marginal interest rate associated with an initial source of funds is inaccurate. Regardless of the method of purchase, consumers are expected to continue to rebalance their debt and asset holdings over the LCC analysis period, based on the restrictions consumers face in their debt payment requirements and the relative size of the interest rates available on debts and assets. DOE estimates the aggregate impact of this rebalancing using the historical distribution of debts and assets.

In the August 2021 NOPD, to establish commercial discount rates for the LCC analysis, DOE identified all relevant commercial consumer debt or asset classes in order to approximate a commercial consumer's opportunity cost of funds related to appliance energy cost savings. It estimated the average percentage shares of the various types of debt and equity by commercial consumer building type using data from Damodaran Online[24] for 1998–2019. Using Damodaran Online and the Federal Reserve, DOE developed a distribution of rates for each type of debt and asset by building type to represent the rates that may apply in the year in which amended standards would take effect. DOE assigned each sample building a specific discount rate drawn from one of the distributions. The average rate across all types of commercial consumer debt and equity, weighted by the shares of each type, given business size, is 7.0 percent.

DOE received no comments related to discount rate in response to the August 2021 NOPD. In this final determination, DOE uses the same analysis process for discount rates and values. However, the inputs for discount rates changed and this final determination uses a slightly lower discount rate for the LCC than compared to the August 2021 NOPD.

See chapter 8 of the final determination TSD for further details on the development of consumer discount rates.

9. Energy Efficiency Distribution in the No-New-Standards Case

To accurately estimate the share of consumers that would be affected by a potential energy conservation standard at a particular efficiency level, DOE's LCC analysis considered the projected distribution (market shares) of product efficiencies under the no-new-standards case (*i.e.,* the case without amended or new energy conservation standards).

To estimate the energy efficiency distribution of CPSVs for 2027 (the first year of the analysis period), DOE conducted general internet searches and examined manufacturer literature to understand the characteristics of the spray values currently offered on the market. DOE assumed that the no-new-standards case percentages in 2027 would stay the same through the analysis period. The estimated market shares by product class for the no-new-standards case for CPSVs DOE assumed in the August 2021 NOPD are shown in Table IV.11 of this document. The estimated market shares within each product class for the no-new-standards case for CPSVs DOE assumed in the August 2021 NOPD are shown in Table IV.12.

[23] The implicit discount rate is inferred from a consumer purchase decision between two otherwise identical goods with different first cost and operating cost. It is the interest rate that equates the increment of first cost to the difference in NPV of lifetime operating cost, incorporating the influence of several factors: transaction costs, risk premiums and response to uncertainty, time preferences, and interest rates at which a consumer is able to borrow or lend.

[24] Damodaran Online. Available at *pages.stern.nyu.edu/~adamodar/* (accessed April 2020).

TABLE IV.11—PRODUCT CLASS DISTRIBUTION IN NO-NEW-STANDARDS CASE

Product class	Portion of shipments (% of shipments)
1	10

TABLE IV.11—PRODUCT CLASS DISTRIBUTION IN NO-NEW-STANDARDS CASE—Continued

Product class	Portion of shipments (% of shipments)
2	70

TABLE IV.11—PRODUCT CLASS DISTRIBUTION IN NO-NEW-STANDARDS CASE—Continued

Product class	Portion of shipments (% of shipments)
3	20

TABLE IV.12—EFFICIENCY LEVEL DISTRIBUTION WITHIN EACH PRODUCT CLASS IN NO-NEW-STANDARDS CASE

Efficiency Level	Product class 1 (% of shipments)	Product class 2 (% of shipments)	Product class 3 (% of shipments)
0	3.1	74.2	86.0
1	.....	24.2	14.0
2	87.5	.....	.....
3	9.4	1.5	.....

DOE received no direct comments related to the August 2021 NOPD assumed efficiency distributions. However, both the CA IOUs and NEEA commented that the CCD database does not contain any models in product class 3, suggesting that the lack of product availability in product class 3 indicates a need for additional research as to consumer preferences in the CPSV market, including in-depth market and sales analysis to better inform DOE's product type switching methodology. NEEA stated that DOE should also account for market availability of products. (CA IOUs, No. 15 at pp. 18–19; NEEA, No. 19 at p. 3) DOE agrees that the CCD, when queried between March 2021 and March 2022, did not contain any models in product class 3. However, DOE has identified such products in manufacturer catalogs and on the market. The values in Table IV.11 are based on DOE's survey of the market indicating that 20 percent of products available are in product class 3. The values in Table IV.12 are partially based on data from the CCD as well as DOE's review of market data. The values in Table IV.12 indicate products exist for EL 0 and EL 1 in product class 3. Given the presence of CPSVs in product class three, there is not a need to account for market availability as suggested by NEEA.

DOE uses these same efficiency distributions from the August 2021 NOPD in this final determination.

See chapter 8 of the final determination TSD for further information on the derivation of the efficiency distributions.

10. Payback Period Analysis

The PBP is the amount of time it takes the consumer to recover the additional installed cost of more efficient products, compared to baseline products, through energy cost savings. The PBP is expressed in years. The PBP that exceeds the life of the product means that the increased total installed cost is not recovered in reduced operating expenses.

The inputs to the PBP calculation for each efficiency level are the change in total installed cost of the product and the change in the first-year annual operating expenditures relative to the baseline. The PBP calculation uses the same inputs as the LCC analysis, except that discount rates are not needed.

G. Shipments Analysis

DOE uses projections of annual product shipments to calculate the national impacts of potential amended or new energy conservation standards on energy use, NPV, and future manufacturer cash flows.[25] The shipments model takes an accounting approach in tracking market shares of each product class and the vintage of units in the stock. Stock accounting uses product shipments as inputs to estimate the age distribution of in-service product stocks for all years. The age distribution of in-service product stocks is a key input to calculations of both the NES and NPV, because operating costs for any year depend on the number of CPSVs in operation during that year.

In the August 2021 NOPD, historical CPSV shipment data were obtained from industry reports as well as DOE's CCD.[26] NEEA commented that the CCD does not contain any models in product class 3. (NEEA, No. 19 at p. 3) In this final determination, DOE consulted manufacturer catalogues to identify the product class 3 data. DOE also used the CCD to help inform some of the efficiency values reported in Table IV.12 of this document.

In the August 2021 NOPD, DOE used the commercial floorspace growth rate to make projections through 2056. PMI commented that at least 20,000 restaurants closed in 2020 as a result of the COVID–19 pandemic. (PMI, No. 4 at pp. 3–4) DOE modeled flat growth in 2020 through 2022 for CPSVs and assumed that growth would increase by the time the analysis period starts in 2027. 86 FR 46330, 46344.

H. National Impact Analysis

The NIA assesses the NES and the NPV from a national perspective of total consumer costs and savings that would be expected to result from new or amended standards at specific efficiency levels.[27] (''Consumer'' in this context refers to consumers of the equipment being regulated.) DOE calculates the NES and NPV for the potential standard levels considered based on projections of annual product shipments, along with the annual energy consumption and total installed cost data from the energy use and LCC analyses. For the present analysis, DOE projected the energy savings, operating cost savings, product costs, and NPV of consumer benefits over the lifetime of CPSVs sold from 2027 through 2056.

DOE evaluates the effects of new or amended standards by comparing a case without such standards with standards-case projections. The no-new-standards case characterizes energy use and consumer costs for each CPSV product class in the absence of new or amended

[25] DOE uses data on manufacturer shipments as a proxy for national sales, as aggregate data on sales are lacking. In general, one would expect a close correspondence between shipments and sales.

[26] Department of Energy—Office of Energy Efficiency and Renewable Energy. *U.S. Department of Energy's Compliance Certification Database.* Available at *www.regulations.doe.gov/certification-data/#q=Product_Group_s%3A*.*

[27] The NIA accounts for impacts in the 50 states and Washington, DC.

energy conservation standards. For this projection, DOE considers historical trends in efficiency and various forces that are likely to affect the mix of efficiencies over time. DOE compares the no-new-standards case with projections characterizing the market for each CPSV product class if DOE adopted new or amended standards at specific energy efficiency levels (*i.e.,* the efficiency levels or standards cases) for that class. For the standards cases, DOE considers how a given standard would likely affect the market shares of CPSVs with lower flow rates than the standard.

DOE uses a spreadsheet model to calculate the energy savings and the national consumer costs and savings from each efficiency level. Interested parties can review DOE's analyses by changing various input quantities within the spreadsheet. The NIA spreadsheet model uses typical values (as opposed to probability distributions) as inputs.

Table IV.13 summarizes the inputs and methods DOE used for the NIA analysis for the final determination. Discussion of these inputs and methods follows the table. See chapter 10 of the final determination TSD for details.

TABLE IV.13—SUMMARY OF INPUTS AND METHODS FOR THE NATIONAL IMPACT ANALYSIS

Inputs	Method
Shipments	Annual shipments from shipments model.
Modeled Compliance Date of Standard	2027.
Efficiency Trends	No-new-standards case. Standards cases.
Annual Energy Consumption per Unit	Annual weighted-average values are a function of energy use at each EL.
Total Installed Cost per Unit	Annual weighted-average values are a function of cost at each EL.
Annual Energy Cost per Unit	Annual weighted-average values as a function of the annual energy consumption per unit and energy prices.
Repair and Maintenance Cost per Unit	Annual values do not change with efficiency level.
Energy Prices	*AEO2021* projections (to 2050) and extrapolation through 2056.
Energy Site-to-Primary and FFC Conversion	A time-series conversion factor based on *AEO2021*.
Discount Rate	3 percent and 7 percent.
Present Year	2022.

1. Product Efficiency Trends

A key component of the NIA is the trend in energy efficiency projected for the no-new-standards case and each of the standards cases. Section IV.F.9 of this document describes how DOE developed an energy efficiency distribution for the no-new-standards case (which yields a shipment weighted-average efficiency) for each of the considered product classes for the year of anticipated compliance with an amended or new standard.

For the standards cases, DOE considered three consumer choice scenarios to establish the shipment-weighted efficiency for the year that standards are assumed to become effective (2027). Further descriptions of the scenarios are provided in the following section.

2. Customer Choice Scenarios

In the January 2016 Final Rule, DOE acknowledged both the possibility that consumers would switch between product classes and the possibility that a subset of consumers would exit the CPSV market and purchase higher flow rate products (*e.g.,* faucets). 81 FR 4748, 4769. In the August 2021 NOPD, DOE included two scenarios of switching. In one scenario (nearest neighbor), some product class 2 consumers opted to purchase product class 3 equipment. In the second scenario (product type switch), some product class 3 consumers opted to purchase a faucet instead of another spray valve. 86 FR 46330, 46344. Therefore, the NIA model allows for evaluation of a no product switch scenario (''rolling-up'' within product class), as well as the nearest neighbor and product type switch scenarios.

NEEA recommended DOE conduct research to further explore customer satisfaction in the CPSV market. (NEEA, No. 19 at p. 2)

In the August 2021 NOPD, as well as in this final determination, DOE analyzed three permutations of consumer behavior in the analyses, which capture a range of consumer choice options. DOE analyzed the major options available to consumers if standards were amended including the following:

- ''*Rolling-up*'' *within product class.* Consumers purchase a device in the product class (no product class switch). This is a typical scenario when consumer demand for a utility feature of a product class limits consumers switching to another product class.
- *Nearest neighbor.* Consumers purchase a device with similar flow rate even if in a different product class (*i.e.,* nearest neighbor).
- *Product-type switching.* Consumers opt to purchase a different product type altogether (*e.g.,* consumers opt to purchase a higher flow product like a faucet).

NEEA stated that they believed that it is more likely that consumers would switch within the product classes in order to keep using a spray valve of any flow rate or spray force rather than leave the market. (NEEA, No. 19 at p. 3) NEEA also commented that product type switching was a valid scenario, but the reality of consumers opting for a faucet is not as regularly expected as presented in the August 2021 NOPD. (NEEA, No. 19 at p. 2).

Under the nearest neighbor scenario, if the current choices of product under the current regulations correspond to the consumers' optimal product, it is probable that some consumers would switch from product class 1 to product class 2 or from product class 2 to product class 3 in response to amended standards in order to maintain their satisfaction with the product. In more extreme cases, consumers may also opt to exit the CPSV market and purchase a different type of product (*e.g.,* a faucet) with a higher flow rate (*i.e.,* product type switch). The Federal standard for faucets established a maximum flow rate of 2.2 gpm. 10 CFR 430.32(o). The economics resulting from nearest neighbor and product-type switching may result in lower optimal efficiency levels and reduced estimates of water and energy savings, as compared to the case without class switching.

DOE is not aware of any other consumer preference scenarios that should be evaluated. DOE did not receive any specific comments on alternate consumer preference scenarios that are possible and that should be evaluated. Therefore, DOE has maintained the same scenarios from the August 2021 NOPD. DOE presents the nearest neighbor scenario as the

Reference case in the final determination but presents results from each of the scenarios in Chapter 10 of the final determination TSD.

In the nearest neighbor scenario, consumers would choose the product with the flow rate that is closest to their current product flow rate, even if it has a higher spray force (product class switching). Under the nearest neighbor scenario, DOE assumed 100 percent of consumers would choose the closest flow rate. Table IV.14 lists the flow rate for the potential efficiency levels evaluated in the August 2021 NOPD. 86 FR 46330, 46344.

TABLE IV.14—COMMERCIAL PRERINSE SPRAY VALVE FLOW RATES

Efficiency level	Product class 1	Product class 2	Product class 3
	Flow rate (gpm)	Flow rate (gpm)	Flow rate (gpm)
Baseline	1.00	1.20	1.28
Level 1	* 0.85	1.02	1.13
Level 2	0.75	* 0.90	.....
Level 3	0.45	0.73	.....

* Market data do not indicate currently available product that meet this efficiency level.

In response to the August 2021 NOPD, NEEA commented that they believed that it is more likely that consumers would switch between product classes in order to keep using a spray valve of any flow rate or spray force rather than leave the market altogether (moving to a faucet), as CPSVs have performance features specifically tailored for commercial dishwashing applications that traditional faucets do not. (NEEA, No. 19 at p. 3) DOE agrees that is more likely consumers will switch between product classes and not opt to purchase faucets. For this reason, DOE uses the nearest neighbor scenario (switching between product classes while still purchasing spray valves) as the Reference case in this final determination, however DOE cannot rule out the potential of consumers leaving the CPSV market all together.

To the extent that customers would opt to leave the CPSV market, that scenario is more likely as a result of more stringent standards for this rulemaking than it was for the January 2016 Final Rule. As discussed, the availability of CPSVs that are in product class 3 may be limited and as such the lack of units available in product class 3 makes it more likely that consumers seeking the product utility associated with the spray force currently offered in product class 2 would exit the CPSV market. Therefore, the likelihood of consumers opting for alternative products outside of the CPSV market in response to amended standards in this rulemaking is more likely than presented in the January 2016 Final Rule. *See* 86 46330, 46344–46346 (August 11, 2021).

A detailed discussion of DOE's method to model this sensitivity analysis is contained in chapter 10 of the final determination TSD.

3. National Energy Savings

The NES analysis involves a comparison of national energy consumption of the considered product between each potential standards case (EL) and the case with no new or amended energy conservation standards. DOE calculated the national energy consumption by multiplying the number of units (stock) of each product (by vintage or age) by the unit energy consumption (also by vintage). DOE calculated annual NES based on the difference in national energy consumption for the no-new-standards case and for each higher efficiency standard case. DOE estimated energy consumption and savings based on site energy and converted the electricity consumption and savings to primary energy (*i.e.,* the energy consumed by power plants to generate site electricity) using annual conversion factors derived from *AEO2021.* Cumulative energy savings are the sum of the NES for each year over the timeframe of the analysis.

The use of a more efficient product is occasionally associated with a direct rebound effect, which refers to an increase in utilization of the product due to the increase in efficiency. For CPSVs, DOE did not use a rebound effect estimate. DOE does not include the rebound effect in the NPV analysis because it reasons that the increased service from greater use of the product has an economic value that is reflected in the value of the foregone energy savings.

In 2011, in response to the recommendations of a committee on ''Point-of-Use and Full-Fuel-Cycle Measurement Approaches to Energy Efficiency Standards'' appointed by the National Academy of Sciences, DOE announced its intention to use FFC measures of energy use and greenhouse gas and other emissions in the NIA and emissions analyses included in future energy conservation standards rulemakings. 76 FR 51281 (Aug. 18, 2011). After evaluating the approaches discussed in the August 18, 2011, notice, DOE published a statement of amended policy in which DOE explained its determination that EIA's National Energy Modeling System (''NEMS'') is the most appropriate tool for its FFC analysis and its intention to use NEMS for that purpose. 77 FR 49701 (Aug. 17, 2012). NEMS is a public domain, multi-sector, partial equilibrium model of the U.S. energy sector [28] that EIA uses to prepare its *AEO.* The FFC factors incorporate losses in production, and delivery in the case of natural gas, (including fugitive emissions) and additional energy used to produce and deliver the various fuels used by power plants. The approach used for deriving FFC measures of energy use and emissions is described in appendix 10B of the final determination TSD.

4. Net Present Value Analysis

The inputs for determining the NPV of the total costs and benefits experienced by consumers are (1) total annual installed cost, (2) total annual operating costs (energy costs and repair and maintenance costs), and (3) a discount factor to calculate the present value of costs and savings. DOE calculates net savings each year as the difference between the no-new-standards case and each standards case in terms of total savings in operating costs versus total increases in installed costs. DOE calculates operating cost savings over the lifetime of each product shipped during the projection period.

[28] For more information on NEMS, refer to *The National Energy Modeling System: An Overview 2009,* DOE/EIA–0581(2009), October 2009. Available at *www.eia.gov/analysis/pdfpages/0581(2009)index.php.*

The operating cost savings are energy cost savings, which are calculated using the estimated energy savings in each year and the projected price of the appropriate form of energy. To estimate energy prices in future years, DOE multiplied the average regional energy prices by the projection of annual national average commercial energy price changes in the Reference case from *AEO2021,* which has an end year of 2050. To estimate price trends after 2050, DOE used the average annual rate of change in prices from 2020 through 2050. As part of the NIA, DOE also analyzed scenarios that used inputs from variants of the *AEO2021* Reference case that have lower and higher economic growth. Those cases have lower and higher energy price trends compared to the Reference case. NIA results based on these cases are presented in appendix 10C of the final determination TSD.

In calculating the NPV, DOE multiplies the net savings in future years by a discount factor to determine their present value. For this final determination, DOE estimated the NPV of consumer benefits using both a 3-percent and a 7-percent real discount rate. DOE uses these discount rates in accordance with guidance provided by the Office of Management and Budget (''OMB'') to Federal agencies on the development of regulatory analysis.[29] The discount rates for the determination of NPV are in contrast to the discount rates used in the LCC analysis, which are designed to reflect a consumer's perspective. The 7-percent real value is an estimate of the average before-tax rate of return to private capital in the U.S. economy. The 3-percent real value represents the ''social rate of time preference,'' which is the rate at which society discounts future consumption flows to their present value.

I. Manufacturer Impact Analysis

1. Overview

DOE conducted an MIA for CPSVs to estimate the financial impacts of analyzed amended energy conservation standards on manufacturers of CPSVs. The MIA has both quantitative and qualitative aspects and includes analyses of projected industry cash flows, the industry net present value (''INPV''), investments in research and development and manufacturing capital, and domestic manufacturing employment. Additionally, the MIA seeks to determine how amended energy conservation standards might affect manufacturing employment, capacity, and competition, as well as how standards contribute to overall regulatory burden. Finally, the MIA serves to identify any disproportionate impacts on manufacturer subgroups, including small business manufacturers.

The quantitative part of the MIA relies on the Government Regulatory Impact Model (''GRIM''), an industry cash flow model customized for the CPSVs covered in this final determination. The key GRIM inputs are data on the industry cost structure, MPCs, and shipments, as well as assumptions about manufacturer markups and manufacturer conversion costs. The key MIA output is INPV, which is the sum of industry annual cash flows over the analysis period, discounted using the industry weighted-average cost of capital, and the impact to domestic manufacturing employment. The GRIM calculates annual cash flows using standard accounting principles. DOE used the GRIM to compare changes in INPV between the no-new-standards case and various efficiency levels, the standards cases. The difference in INPV between the no-new-standards case and the standards cases represents the financial impact of analyzed amended energy conservation standards on CPSV manufacturers. Different sets of assumptions (conversion cost scenarios) produce different INPV results. The qualitative part of the MIA addresses factors such as manufacturing capacity; characteristics of, and impacts on, any particular subgroup of manufacturers, including small manufacturers; the cumulative regulatory burden placed on CPSV manufacturers; and any impacts on competition.

2. GRIM Analysis and Key Inputs

DOE uses the GRIM to quantify the changes in cash flows over time due to the analyzed amended energy conservation standards. These changes in cash flows result in either a higher or lower INPV for the standards cases compared to the no-new-standards case. The GRIM uses a standard annual cash flow analysis that incorporates MPCs, manufacturer markups, shipments, and industry financial information as inputs. It then models changes in manufacturer investments that may result from the analyzed amended energy conservation standards. The GRIM uses these inputs to calculate a series of annual cash flows beginning with the reference year of the analysis (2022) and continuing to the terminal year of the analysis (2056). DOE computes INPV by summing the stream of annual discounted cash flows during the analysis period. DOE continued to use a real discount rate of 6.86 percent, the same discount rate used in the August 2021 NOPD, for CPSV manufacturers in this final determination. 86 FR 46330, 46346.[30] Many of the GRIM inputs come from the engineering analysis, the shipments analysis, and other research conducted during the MIA. The major GRIM inputs are described in detail in the following sections.

a. Manufacturer Product Costs

Manufacturing more efficient products is typically more expensive than manufacturing baseline products. However, as discussed in section IV.C.2 of this document, the MPCs for all CPSVs are constant at every efficiency level and for every product class. In the MIA, DOE used the MPCs calculated in the engineering analysis, as described in section IV.C.2 of this document and further detailed in chapter 5 of the final determination TSD.

b. Shipment Projections

INPV, the key GRIM output, depends on industry revenue, which depends on the quantity and prices of CPSVs shipped in each year of the analysis period. Industry revenue calculations require forecasts of (1) the total annual shipment volume of CPSVs, (2) the distribution of shipments across the product classes, and (3) the distribution of shipments across efficiency levels.

In the MIA, DOE used the shipments calculated as part of the shipments analysis discussion in section IV.G of this document and chapter 9 of the final determination TSD.

c. Product and Capital Conversion Costs

DOE expects the analyzed amended CPSV energy conservation standards would cause manufacturers to incur conversion costs to bring their production facilities and product designs into compliance with the analyzed amended standards. For the MIA, DOE classified these conversion costs into two groups: (1) capital conversion costs and (2) product conversion costs. Capital conversion costs are investments in property, plant, and equipment necessary to adapt or change existing production facilities so new product designs can be fabricated and assembled. Product conversion costs are investments in research, development, testing, marketing, certification, and other non-capitalized costs necessary to make product designs

[29] United States Office of Management and Budget. *Circular A–4: Regulatory Analysis.* September 17, 2003. Section E. Available at *www.whitehouse.gov/omb/memoranda/m03-21.html.*

[30] The August 2021 NOPD incorrectly stated that the discount rate used in the NOPD MIA was 6.89%. However, the value that was actually used in the GRIM file was 6.86%. 86 FR 46330, 46346.

comply with the analyzed amended standards.

In general, DOE assumes all conversion-related investments occur between the year of publication of a potential final rule and the year by which manufacturers must comply with potential amended standards. DOE created estimates of industry capital and product conversion costs using the engineering cost model and information gained during product teardowns. Product conversion costs depend on the number of CPSV models that need to be redesigned and retested as well as the number of manufacturers that need to update brochures and marketing materials. Capital conversion costs are based on the number of plastic spray patterns that would need to be fabricated by CPSV manufacturers. The conversion cost estimates are presented in section V.B of this document.

d. Manufacturer Markup

As discussed in section IV.I.2.a of this document, the MPCs for CPSVs are the manufacturers' costs for those products. The MPCs include materials, direct labor, depreciation, and overhead, which are collectively referred to as the cost of goods sold. The MSP is the price received by CPSV manufacturers from the first sale of those products, typically to a distributor, regardless of the downstream distribution channel through which the CPSVs are ultimately sold. The MSP is not the price the end-user pays for CPSVs because there are typically multiple sales along the distribution chain and various markups applied to each sale. The MSP equals the MPC multiplied by the manufacturer markup. The manufacturer markup covers all the CPSV manufacturer's non-production costs (*i.e.,* selling, general, and administrative expenses; research and development; and interest) as well as profit. Total industry revenue for CPSV manufacturers equals the MSPs at each efficiency level multiplied by the number of shipments at that efficiency level for all product classes. As previously discuss in section IV.C.2 of this document, the MPC for all CPSVs is the same at each efficiency level for all product classes. Therefore, total industry revenue equals the MSP multiplied by the number of shipments.

In the June 2020 RFI, DOE requested comment on whether the manufacturer markup of 1.30 from the January 2016 Final Rule is still appropriate to represent the market share weighted-average value. 85 FR 35383, 35389. DOE did not receive any comments on this topic in either the June 2020 RFI or the August 2021 NOPD. Therefore, DOE used the same manufacturer markup of 1.30 that was used in the August 2021 NOPD.

V. Analytical Results and Conclusions

The following section addresses the results from DOE's analyses with respect to the analyzed energy conservation standards for CPSVs. It addresses the efficiency levels examined by DOE and the projected impacts of each of these levels. Additional details regarding DOE's analyses are contained in the final determination TSD supporting this document.

In response to the August 2021 NOPD, NEEA commented that it is not clear what scenario was used for DOE's determination of the product switching methodology. (NEEA, No. 19 at p. 2) DOE's reference case in the NOPD was the nearest neighbor scenario, which is the same in this final determination. However, DOE also considered the effect of product-type switching for the determination. As discussed in section IV.H.2 of this document, DOE notes to the extent that customers would opt to leave the CPSV market, that scenario is more likely as a result of more stringent standards for this determination than it was for the January 2016 Final Rule. Therefore, the product-type switch scenario was also a consideration for the final determination.

A. Economic Impacts on Individual Consumers

DOE analyzed the cost effectiveness (*i.e.,* the savings in operating costs throughout the estimated average life of CPSVs compared to any increase in the price of, or in the initial charges for, or maintenance expenses of, the CPSVs) that is likely to result from the imposition of a standard at an efficiency level by considering the LCC and PBP at each efficiency level. These analyses are discussed in the following sections.

In general, a more efficient product can affect consumers in two ways: (1) purchase price increases and (2) annual operating costs decrease. In the case of CPSVs, there is no incremental cost associated with the more efficient product. Inputs used for calculating the LCC and PBP include total installed costs (*i.e.,* product price plus installation costs) and operating costs (*i.e.,* annual energy use, energy prices, energy price trends, repair costs, and maintenance costs). The LCC calculation also uses product lifetime and a discount rate. Chapter 8 of the final determination TSD provides detailed information on the LCC and PBP analyses.

Table V.1 shows the average LCC and PBP results for the efficiency levels considered for CPSVs in this analysis.

TABLE V.1—AVERAGE LCC AND PBP RESULTS BY EFFICIENCY LEVEL

Efficiency level	LCC savings *(2020$)*	Simple payback period *(years)*
EL 1	$371.02	0
EL 2	723.57	0
EL 3	735.58	0

The average LCC results in Table V.1 reflect the assumption of a consumer opting to stay within the same product class and not incorporating the switching between product classes or product types that is modeled when assessing national impacts. The results in Table V.1 also assume a consumer purchases a product from an efficiency level that exists in the market. As a result, product class 1 consumers at baseline efficiency level purchase EL 2 products in the LCC analysis, and product class 2 consumers at EL 1 purchase EL 3 in the LCC analysis.

B. Economic Impacts on Manufacturers

DOE performed an MIA to estimate the impact of potential amended energy conservation standards on manufacturers of CPSVs. DOE modeled MIA results using the reference case, Nearest Neighbor. The following sections describe the expected impacts on CPSV manufacturers at each efficiency level. Chapter 11 of the final determination TSD explains the MIA in further detail.

1. Industry Cash Flow Analysis Results

In this section, DOE provides MIA results from the analysis, which examines changes in the industry that could result from amended standards. Table V.2 and Table V.3 depict the estimated financial impacts (represented by changes in INPV) of potential amended energy conservation standards on CPSV manufacturers, as well as the conversion costs that DOE estimates manufacturers would incur at each efficiency level. To evaluate the range of cash flow impacts on the CPSV industry, DOE modeled two conversion cost scenarios that correspond to the range of potential manufacturer investments that may occur in responses to potential amended standards. Each conversion cost scenario results in a unique set of cash flows and corresponding industry values at each efficiency level.

In the following discussion, the INPV results refer to the difference in industry value between the no-new-standards case and the standards cases that result from the sum of discounted cash flows from the reference year (2022) through

the end of the analysis period (2056). The results also discuss the difference in cash flows between the no-new-standards case and the standards cases in the year before the analyzed compliance date for potential amended energy conservation standards. This differential represents the size of the required conversion costs relative to the cash flow generated by the CPSV industry in the absence of amended energy conservation standards.

To assess the upper (less severe) end of the range of potential impacts on CPSV manufacturers, DOE modeled a sourced conversion cost scenario. This scenario assumes that the majority of CPSV manufacturers, but not all CPSV manufacturers, source components (including the nozzle) from component suppliers and simply assemble the CPSVs. In this scenario, the CPSV manufacturers that DOE assumed source components would not incur a capital conversion cost related to the fabrication of plastic nozzles if CPSV manufacturers must redesign nozzle molds due to the analyzed amended energy conservation standards.

To assess the lower (more severe) end of the range of potential impacts on CPSV manufacturers, DOE modeled a fabricated conversion cost scenario. This scenario assumes that all CPSV manufacturers currently selling products with plastic spray nozzles fabricate these nozzles in-house. In this scenario, all CPSV manufacturers incur capital conversion costs related to the fabrication of plastic nozzles if CPSV manufacturers must redesign nozzle molds due to analyzed amended energy conservation standards.

Table V.2 and Table V.3 present the projected results for CPSVs under the sourced and fabricated conversion cost scenarios. DOE examined results for all product classes together since most manufacturers sell products across a variety of the analyzed product classes.

TABLE V.2—MANUFACTURER IMPACT ANALYSIS FOR COMMERCIAL PRERINSE SPRAY VALVES—SOURCED CONVERSION COST SCENARIO

	Units	No-new-standards case	Efficiency level *		
			1	2	3
INPV	*2020$ millions*	11.6	10.7	10.7	10.7
Change in INPV	*2020$ millions*		(0.9)	(0.9)	(0.9)
	%		(8.0)	(8.0)	(8.0)
Product Conversion Costs	*2020$ millions*		1.3	1.3	1.3
Capital Conversion Costs	*2020$ millions*		0.1	0.1	0.1
Total Conversion Costs	*2020$ millions*		1.4	1.4	1.4

* Numbers in parentheses indicate negative numbers.

TABLE V.3—MANUFACTURER IMPACT ANALYSIS FOR COMMERCIAL PRERINSE SPRAY VALVES—FABRICATED CONVERSION COST SCENARIO

	Units	No-new-standards case	Efficiency level *		
			1	2	3
INPV	*2020$ millions*	11.6	10.5	10.5	10.4
Change in INPV	*2020$ millions*		(1.0)	(1.0)	(1.2)
	%		(9.0)	(9.0)	(10.1)
Product Conversion Costs	*2020$ millions*		1.3	1.3	1.3
Capital Conversion Costs	*2020$ millions*		0.3	0.3	0.4
Total Conversion Costs	*2020$ millions*		1.6	1.6	1.7

* Numbers in parentheses indicate negative numbers.

At EL 1, DOE estimates the impacts on INPV to range from −$1.0 million to −$0.9 million, or a change in INPV of −9.0 percent to −8.0 percent. At EL 1, industry free cash flow (operating cash flow minus capital expenditures) is estimated to decrease to $0.1 million, or a drop of up to 88.2 percent, compared to the no-new-standards case value of $0.7 million in 2026, the year leading up to the analyzed compliance date of potential amended energy conservation standards.

Percentage impacts on INPV are moderately negative at EL 1. DOE projects that in the analyzed year of compliance (2027), 97 percent of CPSV shipments in product class 1, 26 percent of CPSV shipments in product class 2, and 14 percent of CPSV shipments in product class 3 will meet EL 1. EL 1 represents max-tech for product class 3. DOE expects CPSV manufacturers to incur approximately $1.3 million in product conversion costs to update brochures and marketing material and retest and redesign CPSV models that would need to be redesigned if standards were set at EL 1. Additionally, CPSV manufacturers would incur between $0.3 million and $0.1 million in capital conversion costs to fabricate new plastic nozzle molds to accommodate spray patterns that could meet potential amended standards set at EL 1.

At EL 2, DOE estimates the impacts on INPV to range from −$1.0 million to −$0.9 million, or a change in INPV of −9.0 percent to −8.0 percent. At EL 2, industry free cash flow (operating cash flow minus capital expenditures) is estimated to decrease to $0.1 million, or a drop of up to 88.2 percent, compared to the no-new-standards case value of $0.7 million in 2026, the year leading up to the analyzed compliance date of potential amended energy conservation standards.

Percentage impacts on INPV are moderately negative at EL 2. DOE projects that in the analyzed year of compliance (2027), 97 percent of CPSV shipments in product class 1 and 2 percent of CPSV shipments in product class 2 will meet or exceed EL 2. Product class 3 is at max-tech (at EL 1) and 14 percent of product class 3 CPSV shipments will meet max-tech. DOE expects CPSV manufacturers to incur approximately $1.3 million in product conversion costs to update brochures and marketing material and retest and

redesign CPSV models that would need to be redesigned if standards were set at EL 2 (and EL 1, which is max-tech, for product class 3). Additionally, CPSV manufacturers would incur between $0.3 million and $0.1 million in capital conversion costs to fabricate new plastic nozzle molds to accommodate spray patterns that could meet potential amended standards set at EL 2 (and EL 1, which is max-tech, for product class 3).

At EL 3, max-tech for all product classes, DOE estimates the impacts on INPV to range from −$1.2 million to −$0.9 million, or a change in INPV of −10.1 percent to −8.0 percent. At EL 3, industry free cash flow (operating cash flow minus capital expenditures) is estimated to decrease to less than $0.1 million, or a drop of up to 99.0 percent, compared to the no-new-standards case value of $0.7 million in 2026, the year leading up to the analyzed compliance date of potential amended energy conservation standards.

Percentage impacts on INPV are moderately negative at EL 3. DOE projects that in the analyzed year of compliance (2027), 9 percent of CPSV shipments in product class 1, 2 percent of CPSV shipments in product class 2, and 14 percent of CPSV shipments in product class 3 will meet max-tech. DOE expects CPSV manufacturers to incur approximately $1.3 million in product conversion costs to update brochures and marketing material and retest and redesign CPSV models that would need to be redesigned if standards were set at max-tech (EL 3 for product classes 1 and 2 and EL 1 for product class 3). Additionally, CPSV manufacturers would incur between $0.4 million and $0.1 million in capital conversion costs to fabricate new plastic nozzle molds to accommodate spray patterns that could meet potential amended standards set at max-tech (EL 3 for product classes 1 and 2 and EL 1 for product class 3).

2. Direct Impacts on Employment

The design option specified for achieving greater efficiency levels (*i.e.,* changing the total spray hole area of the CPSV nozzle) does not increase the labor content (measured in dollars) of CPSVs at any EL, nor does it increase total MPC or labor associated with manufacturing CPSVs. Additionally, total industry shipments are forecasted to be constant at all the analyzed standard levels. Therefore, DOE predicts no change in domestic manufacturing employment levels due to any of the analyzed standard levels.

3. Impacts on Manufacturing Capacity

Not every CPSV manufacturer makes CPSV models that could meet all the analyzed amended energy conservation standards for all product classes. However, DOE believes that manufacturers would not need to make substantial platform changes or significant investments for their CPSV products to meet any of the amended energy conservation standards analyzed in this rulemaking. Therefore, DOE does not foresee any significant impact on manufacturing capacity due to any of the analyzed amended energy conservation standards.

4. Impacts on Subgroups of Manufacturers

Using average cost assumptions to develop an industry cash flow estimate may not be adequate for assessing differential impacts among manufacturer subgroups. Small manufacturers, niche product manufacturers, and manufacturers exhibiting cost structures substantially different from the industry average could be affected disproportionately. DOE analyzed the impacts on small businesses in section VI.B of this document. DOE did not identify any other manufacturer subgroups for this rulemaking.

5. Cumulative Regulatory Burden

One aspect of assessing manufacturer burden involves looking at the cumulative impact of multiple DOE standards and the product-specific regulatory actions of other Federal agencies that affect the manufacturers of a covered product. While any one regulation may not impose a significant burden on manufacturers, the combined effects of several existing or impending regulations may have serious consequences for some manufacturers, groups of manufacturers, or an entire industry. Assessing the impact of a single regulation may overlook this cumulative regulatory burden. In addition to energy conservation standards, other regulations can significantly affect manufacturers' financial operations. Multiple regulations affecting the same manufacturer can strain profits and lead companies to abandon product lines or markets with lower expected future returns than competing products. For these reasons, DOE typically conducts an analysis of cumulative regulatory burden as part of its rulemakings pertaining to appliance efficiency. However, given the conclusion discussed in section V.D of this document, DOE did not conduct a cumulative regulatory burden analysis.

C. National Impact Analysis

This section presents DOE's estimates of the NES and the NPV of consumer benefits that would result from each of the efficiency levels considered as potential amended standards.

1. Significance of Energy Savings

To estimate the energy savings attributable to potential amended standards for CPSVs, DOE compared their energy consumption under the no-new-standards case to their anticipated energy consumption under each efficiency level. The savings are measured over the entire lifetime of the product purchased in the 30-year period that begins in the year of anticipated compliance with amended standards (2027–2056). Table V.4 presents DOE's projections of the NES for each efficiency level considered for CPSVs for all three scenarios considered (section IV.H.2 of this document).

TABLE V.4—CUMULATIVE NATIONAL ENERGY AND WATER SAVINGS FOR COMMERCIAL PRERINSE SPRAY VALVES; 30 YEARS OF SHIPMENTS

[2027–2056]

Efficiency level	National energy and water savings		
	Primary energy *(quads)*	FFC energy *(quads)*	National water savings *(billion gal)*
Scenario #1—"*Rolling-up*" *within product class*			
1	0.151	0.160	159.328
2	0.312	0.329	328.747

TABLE V.4—CUMULATIVE NATIONAL ENERGY AND WATER SAVINGS FOR COMMERCIAL PRERINSE SPRAY VALVES; 30 YEARS OF SHIPMENTS—Continued

[2027–2056]

Efficiency level	National energy and water savings		
	Primary energy *(quads)*	FFC energy *(quads)*	National water savings *(billion gal)*
3	0.279	0.295	294.188
Scenario #2—*Nearest Neighbor [REFERENCE CASE]*			
1	0.050	0.053	52.571
2	0.036	0.038	37.468
3	0.037	0.039	39.004
Scenario #3—*Product type switching*			
1	(0.098)	(0.103)	(102.905)
2	(0.112)	(0.108)	(118.009)
3	(0.110)	(0.117)	(116.473)

* Values in parenthesis indicate negative values.

OMB Circular A–4 [31] requires agencies to present analytical results, including separate schedules of the monetized benefits and costs that show the type and timing of benefits and costs. Circular A–4 also directs agencies to consider the variability of key elements underlying the estimates of benefits and costs. For this final determination, DOE undertook a sensitivity analysis using 9 years, rather than 30 years, of product shipments. The choice of a 9-year period is a proxy for the timeline in EPCA for the review of certain energy conservation standards and potential revision of and compliance with such revised standards.[32] The review timeframe established in EPCA is generally not synchronized with the product lifetime, product manufacturing cycles, or other factors specific to CPSVs. Thus, such results are presented for informational purposes only and are not indicative of any change in DOE's analytical methodology. Table V.5 presents DOE's 9-year projections of the NES for each efficiency level considered for CPSVs for all three scenarios considered (section IV.H.2 of this document). The impacts are counted over the lifetime of CPSVs purchased in 2027–2035.

TABLE V.5—CUMULATIVE NATIONAL ENERGY AND WATER SAVINGS FOR COMMERCIAL PRERINSE SPRAY VALVES; 9 YEARS OF SHIPMENTS

[2027–2035]

Efficiency level	National energy and water savings		
	Primary energy *(quads)*	FFC energy *(quads)*	National water savings *(billion gal)*
Scenario #1—"*Rolling-up*" *within product class*			
1	0.041	0.043	42.911
2	0.084	0.084	88.541
3	0.075	0.075	79.233
Scenario #2—*Nearest Neighbor [REFERENCE CASE]*			
1	0.003	0.013	14.159
2	0.002	0.010	10.091
3	0.003	0.010	10.505
Scenario #3—*Product-type switching*			
1	(0.026)	(0.028)	(27.715)
2	(0.030)	(0.032)	(31.783)

[31] U.S. Office of Management and Budget. *Circular A–4: Regulatory Analysis.* September 17, 2003. Available at *obamawhitehouse.archives.gov/omb/circulars_a004_a-4/.*

[32] Section 325(m) of EPCA requires DOE to review its standards at least once every 6 years, and requires, for certain products, a 3-year period after any new standard is promulgated before compliance is required, except that in no case may any new standards be required within 6 years of the compliance date of the previous standards. If DOE makes a determination that amended standards are not needed, it must conduct a subsequent review within three years following such a determination. As DOE is evaluating the need to amend the standards, the sensitivity analysis is based on the review timeframe associated with amended standards. While adding a 6-year review to the 3-year compliance period adds up to 9 years, DOE notes that it may undertake reviews at any time within the 6-year period and that the 3-year compliance date may yield to the 6-year backstop. A 9-year analysis period may not be appropriate given the variability that occurs in the timing of standards reviews and the fact that for some products, the compliance period is 5 years rather than 3 years.

TABLE V.5—CUMULATIVE NATIONAL ENERGY AND WATER SAVINGS FOR COMMERCIAL PRERINSE SPRAY VALVES; 9 YEARS OF SHIPMENTS—Continued

[2027–2035]

Efficiency level	National energy and water savings		
	Primary energy *(quads)*	FFC energy *(quads)*	National water savings *(billion gal)*
3	(0.030)	(0.032)	(31.369)

* Values in parenthesis indicate negative values.

2. Net Present Value of Consumer Costs and Benefits

DOE estimated the cumulative NPV for consumers that would result from the efficiency levels considered for CPSVs. In accordance with OMB's guidelines on regulatory analysis,[33] DOE calculated NPV using both a 7-percent and a 3-percent real discount rate. Table V.6 shows the consumer NPV results for each efficiency level considered for CPSVs for all three scenarios considered (*see* section IV.H.2 of this document). The impacts are counted over the lifetime of a product purchased in 2027–2056.

TABLE V.6—CUMULATIVE NET PRESENT VALUE OF CONSUMER BENEFITS FOR COMMERCIAL PRERINSE SPRAY VALVES; 30 YEARS OF SHIPMENTS

[2027–2056]

Efficiency level	Net present value (billion $2020) *	
	7-percent discount rate	3-percent discount rate
Scenario #1—"*Rolling-up*" *within product class*		
1	1.109	2.360
2	2.266	4.815
3	2.009	4.276
Scenario #2—*Nearest Neighbor [REFERENCE CASE]*		
1	0.335	0.740
2	0.239	0.527
3	0.249	0.549
Scenario #3—*Product type switching*		
1	(0.701)	(1.498)
2	(0.805)	(1.698)
3	(0.794)	(1.676)

* Values in parenthesis indicate negative values.

The NPV results based on the aforementioned 9-year analytical period for all three scenarios considered are presented in Table V.7. The impacts are counted over the lifetime of a product purchased in 2027–2035. As mentioned previously, such results are presented for informational purposes only and are not indicative of any change in DOE's analytical methodology or decision criteria.

TABLE V.7—CUMULATIVE NET PRESENT VALUE OF CONSUMER BENEFITS FOR COMMERCIAL PRERINSE SPRAY VALVES; 9 YEARS OF SHIPMENTS (2027–2035)

Efficiency Level	Net present value (billion $2020)*	
	7-percent discount rate	3-percent discount rate
Scenario #1—"*Rolling-up*" *within product class*		
1	0.501	0.778
2	1.028	1.562

[33] U.S. Office of Management and Budget. *Circular A–4: Regulatory Analysis.* September 17, 2003. Available at *obamawhitehouse.archives.gov/omb/circulars_a004_a-4/*.

TABLE V.7—CUMULATIVE NET PRESENT VALUE OF CONSUMER BENEFITS FOR COMMERCIAL PRERINSE SPRAY VALVES; 9 YEARS OF SHIPMENTS (2027–2035)—Continued

Efficiency Level	Net present value (billion $2020)*	
	7-percent discount rate	3-percent discount rate
3	0.913	1.388
Scenario #2—*Nearest Neighbor [REFERENCE CASE]*		
1	0.150	0.236
2	0.107	0.168
3	0.111	0.175
Scenario #3—*Product-type switching*		
1	(0.298)	(0.449)
2	(0.345)	(0.518)
3	(0.340)	(0.511)

* Values in parenthesis indicate negative values.

D. Final Determination

As required by EPCA, this final determination analyzes whether amended standards for CPSVs would result in significant conservation of energy, be technologically feasible, and be cost effective. (42 U.S.C. 6295(m)(1)(A) and 42 U.S.C. 6295(n)(2)) Additionally, DOE also estimated the impact on manufacturers. The criteria considered under 42 U.S.C. 6295(m)(1)(A) and the additional analysis are discussed in the following subsections. Because an analysis of potential cost effectiveness and energy savings first requires an evaluation of the relevant technology, DOE first discusses the technological feasibility of amended standards. DOE then addresses the cost effectiveness and energy savings associated with potential amended standards.

1. Technological Feasibility

EPCA mandates that DOE consider whether amended energy conservation standards for CPSVs would be technologically feasible. (42 U.S.C. 6295(m)(1)(A) and 42 U.S.C. 6295(n)(2)(B)) DOE has determined that there are technology options that would improve the efficiency of CPSVs. These technology options are being used in commercially available CPSVs and therefore are technologically feasible. (*See* section IV.A.2 for further information.) Hence, DOE has determined that amended energy conservation standards for CPSVs are technologically feasible.

2. Cost Effectiveness

EPCA requires DOE to consider whether energy conservation standards for CPSVs would be cost effective through an evaluation of the savings in operating costs throughout the estimated average life of the covered product compared to any increase in the price of, or in the initial charges for, or maintenance expenses of, the covered product which are likely to result from the imposition of an amended standard. (42 U.S.C. 6295(m)(1)(A), 42 U.S.C. 6295(n)(2)(C), and 42 U.S.C. 6295(o)(2)(B)(i)(II)). DOE conducted an LCC analysis to estimate the net costs/benefits to users from increased efficiency in the considered CPSVs. (*See* results in Table V.1 of this document). DOE then aggregated the results from the LCC analysis to estimate the NPV of the total costs and benefits experienced by the Nation for all three scenarios considered. (*See* results in Table V.6 of this document). As noted, the inputs for determining the NPV are (1) total annual installed cost, (2) total annual operating costs (energy costs and repair and maintenance costs), and (3) a discount factor to calculate the present value of costs and savings.

DOE considered each of the efficiency levels. All efficiency levels for the reference case scenario (*i.e.,* nearest neighbor) would result in a positive NPV at the 3-percent and 7-percent discount rates. DOE notes that the lack of incremental costs to consumers associated with more efficient products makes LCC and NPV values cost effective. However, in DOE's product type switch scenario, amended standards could result in a negative NPV (see section V.D.4 for further discussion).

3. Significant Conservation of Energy

EPCA also mandates that DOE consider whether amended energy conservation standards for CPSVs would result in significant conservation of energy. (42 U.S.C. 6295(m)(1)(A) and 42 U.S.C. 6295(n)(2)(A)). To estimate the energy savings attributable to potential amended standards for CPSVs, DOE compared their energy consumption under the no-new-standards case to their anticipated energy consumption under each potential standard level. The savings are measured over the entire lifetime of product purchased in the 30-year period that begins in the year of anticipated compliance with amended standards (2027–2056).

DOE estimates that amended standards for CPSVs for the reference case scenario (*i.e.,* nearest neighbor) would result in maximum energy savings of 0.053 quads FFC energy savings at EL 1 over a 30-year analysis period (2027–2056). (*See* results in Table V.4 of this document.) However, in DOE's product type switch scenario, amended standards could result in an increase in FFC energy use (see section V.D.4 for further discussion).

4. Additional Consideration

EPCA lists certain additional factors for DOE to consider in deciding whether an amended energy conservation standard is economically justified. (42 U.S.C. 6295(o)(2)(B)(i)(I)–(VII)).

As part of this analysis, DOE considers the economic impact of the standard on manufacturers of the products subject to an amended standard. (42 U.S.C. 6295(o)(2)(B)(i)(I). DOE investigated the manufacturer impacts of any potential amended standards and estimates that amended standards for CPSVs would result in a reduction in INPV between 10.1 and 8.0 percent. (*See* results in Table V.2 and Table V.3 of this document.)

In this analysis, DOE also considers any lessening of the utility or the performance of the covered products likely to result from the imposition of the standard. (42 U.S.C. 6295(o)(2)(B)(i)(IV)). As noted in section IV.G, spray force is a driving factor of consumer utility and consumer satisfaction. As discussed in section IV.C.1.b of this document, there is a direct relationship between flow rate and spray force. Therefore, the relationship between consumer satisfaction and spray force for CPSVs makes it possible that consumers may opt to switch product classes if they are unsatisfied with the spray force available to them in their current product class due to amended standards. In some cases, consumers react to amended standards by switching to an alternative product that consumes more water and energy than their current product. As discussed in section IV.H.2 of this document, the change in product availability since the January 2016 Final Rule makes it more likely that certain consumers would switch to higher flow rate products in response to amended standards. This shift increases the likelihood that amended standards could result in more energy and water use and a negative NPV. Accordingly, DOE accounted for this potential reduction in utility by considering the possibility of the product type switch scenario (section IV.H.2 of this document).

In DOE's sensitivity analysis, wherein a subset of consumers exit the CPSV market and switch to higher flow rate products such as faucets (product type switch scenario), all efficiency levels would result in a negative NPV at the 3-percent and 7-percent discount rates. Further, amended standards could result in an increase in FFC energy use between 0.103 (EL1) and 0.117 (EL3) quads over a 30-year analysis period (2027–2056).

Based on these additional considerations, DOE has determined that amended standards would not be economically justified at any efficiency level due to the increased likelihood of consumers switching products to higher flow rate products as a result of decreased consumer utility due to potential amended standards, and the corresponding negative NPV of this product type switch scenario and the negative INPV.

5. Summary

In this final determination, although energy and water savings are possible in the reference case analysis, there is risk that amended standards could result in increased energy and water consumption if consumers switch to products with higher flow rates, like faucets (as demonstrated in the product type switch scenario). Similarly, the product-type switch scenario would also result in a negative NPV for consumers. As discussed in section IV.H.2 of this document, the change in product availability since the 2016 Final Rule makes it more likely that consumers would switch to products with higher flow rates in the presence of amended standards. Therefore, it is more likely that amended standards could result in increases in water, energy, and costs. The risk of these potential increases outweigh the cost effectiveness of any amended standards.

As such, any potential benefits from amended standards are outweighed by the potential of increased energy and water use and the additional burden on manufacturers. DOE has determined, based on the estimated negative NPV values resulting from product type switching and the estimated additional burden on manufacturers, amended standards would not be economically justified. Therefore, DOE has determined that amended standards for CPSVs are not justified at this time.

VI. Procedural Issues and Regulatory Review

A. Review Under Executive Order 12866 and 13563

Executive Order (''E.O.'') 12866, ''Regulatory Planning and Review,'' as supplemented and reaffirmed by E.O. 13563, ''Improving Regulation and Regulatory Review,'' 76 FR 3821 (Jan. 21, 2011), requires agencies, to the extent permitted by law, to (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity); (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public. DOE emphasizes as well that E.O. 13563 requires agencies to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible. In its guidance, the Office of Information and Regulatory Affairs (''OIRA'') has emphasized that such techniques may include identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes. For the reasons stated in the preamble, this final regulatory action is consistent with these principles.

Section 6(a) of E.O. 12866 also requires agencies to submit ''significant regulatory actions'' to OIRA for review. OIRA has determined that this final regulatory action does not constitute a ''significant regulatory action'' under section 3(f) of E.O. 12866. Accordingly, this action was not submitted to OIRA for review under E.O. 12866.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of a final regulatory flexibility analysis (''FRFA'') for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. As required by E.O. 13272, ''Proper Consideration of Small Entities in Agency Rulemaking,'' 67 FR 53461 (Aug. 16, 2002), DOE published procedures and policies on February 19, 2003, to ensure that the potential impacts of its rules on small entities are properly considered during the rulemaking process. 68 FR 7990. DOE has made its procedures and policies available on the Office of the General Counsel's website (*www.energy.gov/gc/office-general-counsel*).

DOE reviewed this final determination under the provisions of the Regulatory Flexibility Act and the policies and procedures published on February 19, 2003. DOE is not amending standards for CPSVs. This final determination would not result in any CPSV manufacturer, large or small, to incur any additional burden or significant economic impact because the current energy conservation standards would remain unchanged and in place. As a result, DOE concludes and certifies that the final determination has no significant economic impact on any small entities. Accordingly, DOE has not

prepared a FRFA for this final determination.

C. Review Under the Paperwork Reduction Act

Manufacturers of commercial prerinse spray valves must certify to DOE that their products comply with any applicable energy conservation standards. In certifying compliance, manufacturers must test their products according to the DOE test procedures for commercial prerinse spray valves, including any amendments adopted for those test procedures. DOE has established regulations for the certification and recordkeeping requirements for all covered consumer products and commercial equipment, including commercial prerinse spray valves. (*See generally* 10 CFR part 429). The collection-of-information requirement for the certification and recordkeeping is subject to review and approval by OMB under the Paperwork Reduction Act (''PRA''). This requirement has been approved by OMB under OMB control number 1910–1400. Public reporting burden for the certification is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

D. Review Under the National Environmental Policy Act of 1969

Pursuant to the National Environmental Policy Act of 1969 (''NEPA''), DOE has analyzed this proposed determination in accordance with NEPA and DOE's NEPA implementing regulations (10 CFR part 1021). DOE has determined that this rule qualifies for categorical exclusion under 10 CFR part 1021, subpart D, appendix A4 because it is an interpretation or ruling in regards to an existing regulation and otherwise meets the requirements for application of a categorical exclusion. *See* 10 CFR 1021.410. Therefore, DOE has determined that promulgation of this rule is not a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA, and does not require an Environmental Assessment or Environmental Impact Statement.

E. Review Under Executive Order 13132

E.O. 13132, ''Federalism,'' 64 FR 43255 (Aug. 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The E.O. requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The E.O. also requires agencies to have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications. On March 14, 2000, DOE published a statement of policy describing the intergovernmental consultation process it will follow in the development of such regulations. 65 FR 13735. DOE has examined this final determination and has determined that it would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. EPCA governs and prescribes Federal preemption of State regulations as to energy conservation for the products that are the subject of this final determination. States can petition DOE for exemption from such preemption to the extent, and based on criteria, set forth in EPCA. (42 U.S.C. 6297). Therefore, no further action is required by E.O. 13132.

F. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of E.O. 12988, ''Civil Justice Reform,'' imposes on Federal agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity, (2) write regulations to minimize litigation, (3) provide a clear legal standard for affected conduct rather than a general standard, and (4) promote simplification and burden reduction. 61 FR 4729 (Feb. 7, 1996). Regarding the review required by section 3(a), section 3(b) of E.O. 12988 specifically requires that executive agencies make every reasonable effort to ensure that the regulation (1) clearly specifies the preemptive effect, if any, (2) clearly specifies any effect on existing Federal law or regulation, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction, (4) specifies the retroactive effect, if any, (5) adequately defines key terms, and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General. Section 3(c) of E.O. 12988 requires executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOE has completed the required review and determined that, to the extent permitted by law, this final determination meets the relevant standards of E.O. 12988.

G. Review Under the Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (''UMRA'') requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of $100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. (2 U.S.C. 1532(a)–(b)) The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a ''significant intergovernmental mandate,'' and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them. On March 18, 1997, DOE published a statement of policy on its process for intergovernmental consultation under UMRA. 62 FR 12820. DOE's policy statement is also available at *www.energy.gov/sites/prod/files/gcprod/documents/umra_97.pdf.*

This final determination contains neither an intergovernmental mandate nor a mandate that may result in the expenditure of $100 million or more in any year by State, local, and tribal governments, in the aggregate, or by the private sector. As a result, the analytical requirements of UMRA do not apply.

H. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family

Policymaking Assessment for any rule that may affect family well-being. This final determination would not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOE has concluded that it is not necessary to prepare a Family Policymaking Assessment.

I. Review Under Executive Order 12630

Pursuant to E.O. 12630, ''Governmental Actions and Interference with Constitutionally Protected Property Rights,'' 53 FR 8859 (Mar. 15, 1988), DOE has determined that this final determination would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

J. Review Under the Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations Act, 2001 (44 U.S.C. 3516 note) provides for Federal agencies to review most disseminations of information to the public under information quality guidelines established by each agency pursuant to general guidelines issued by OMB. OMB's guidelines were published at 67 FR 8452 (Feb. 22, 2002), and DOE's guidelines were published at 67 FR 62446 (Oct. 7, 2002). Pursuant to OMB Memorandum M–19–15, Improving Implementation of the Information Quality Act (April 24, 2019), DOE published updated guidelines, which are available at *www.energy.gov/sites/prod/files/2019/12/f70/DOE%20Final%20Updated%20IQA%20Guidelines%20Dec%202019.pdf.* DOE has reviewed this final determination under the OMB and DOE guidelines and has concluded that it is consistent with applicable policies in those guidelines.

K. Review Under Executive Order 13211

E.O. 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use,'' 66 FR 28355 (May 22, 2001), requires Federal agencies to prepare and submit to OIRA at OMB, a Statement of Energy Effects for any significant energy action. A ''significant energy action'' is defined as any action by an agency that promulgates or is expected to lead to promulgation of a final rule, and that (1) is a significant regulatory action under E.O. 12866, or any successor E.O.; and (2) is likely to have a significant adverse effect on the supply, distribution, or use of energy, or (3) is designated by the Administrator of OIRA as a significant energy action. For any significant energy action, the agency must give a detailed statement of any adverse effects on energy supply, distribution, or use should the proposal be implemented, and of reasonable alternatives to the action and their expected benefits on energy supply, distribution, and use.

This final determination, which does not amend energy conservation standards for CPSVs, is not a significant regulatory action under E.O. 12866. Moreover, it would not have a significant adverse effect on the supply, distribution, or use of energy, nor has it been designated as such by the Administrator at OIRA. Accordingly, DOE has not prepared a Statement of Energy Effects.

L. Review Under the Information Quality Bulletin for Peer Review

On December 16, 2004, OMB, in consultation with the Office of Science and Technology Policy (''OSTP''), issued its Final Information Quality Bulletin for Peer Review (''the Bulletin''). 70 FR 2664 (Jan. 14, 2005). The Bulletin establishes that certain scientific information shall be peer reviewed by qualified specialists before it is disseminated by the Federal government, including influential scientific information related to agency regulatory actions. The purpose of the Bulletin is to enhance the quality and credibility of the Government's scientific information. Under the Bulletin, the energy conservation standards rulemaking analyses are ''influential scientific information,'' which the Bulletin defines as ''scientific information the agency reasonably can determine will have, or does have, a clear and substantial impact on important public policies or private sector decisions.'' 70 FR 2664, 2667 (Jan. 14, 2005).

In response to the Bulletin, DOE conducted formal peer reviews of the energy conservation standards development process and the analyses that are typically used and has prepared a Peer Review report pertaining to the energy conservation standards rulemaking analyses.[34] Generation of this report involved a rigorous, formal, and documented evaluation using objective criteria and qualified and independent reviewers to make a judgment as to the technical/scientific/business merit, the actual or anticipated results, and the productivity and management effectiveness of programs and/or projects. Because available data, models, and technological understanding have changed since 2007, DOE has engaged with the National Academy of Sciences to review DOE's analytical methodologies to ascertain whether modifications are needed to improve the Department's analyses. DOE is in the process of evaluating the resulting report.[35]

M. Congressional Notification

As required by 5 U.S.C. 801, DOE will report to Congress on the promulgation of this rule prior to its effective date. The report will state that it has been determined that the rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

VII. Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this final determination.

Signing Authority

This document of the DOE was signed on May 31, 2022, by Kelly J. Speakes-Backman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the DOE. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 1, 2022.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2022–12107 Filed 6–3–22; 8:45 am]

BILLING CODE 6450–01–P

[34] Department of Energy—Office of Energy Efficiency and Renewable Energy. *Energy Conservation Standards Rulemaking Peer Review Report.* 2007. Available at *www.energy.gov/eere/buildings/downloads/energy-conservation-standards-rulemaking-peer-review-report-0.*

[35] The report is available at *www.nationalacademies.org/our-work/review-of-methods-for-setting-building-and-equipment-performance-standards.*

SMALL BUSINESS ADMINISTRATION

13 CFR Part 121

RIN 3245–AH26

Small Business Size Standards: Calculation of Number of Employees for All Programs and of Average Annual Receipts in the Business Loan, Disaster Loan, and Small Business Investment Company Programs

AGENCY: U.S. Small Business Administration.

ACTION: Final rule.

SUMMARY: The U.S. Small Business Administration (SBA or Agency) is adopting a 24-month average to calculate a business concern's number of employees for eligibility purposes in all of SBA's programs. SBA is also permitting business concerns in its Business Loan, Disaster Loan, Surety Bond, and Small Business Investment Company (SBIC) Programs to use a five-year averaging period, in addition to the existing three-year averaging period, for the purposes of calculating average annual receipts. These changes will allow larger small businesses to retain their small business size status for longer, and some mid-sized businesses to regain their small business status.

DATES: This rule is effective July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Khem R. Sharma, Ph.D., Chief, Office of Size Standards, (202) 205–6618 or *sizestandards@sba.gov.*

SUPPLEMENTARY INFORMATION:

I. Background Information

This final rule implements two legislative enactments that affect how SBA calculates a business concern's size to determine whether the business qualifies as small for SBA's contracting, loan,[1] and other assistance programs. First, section 863 of the National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283 (''NDAA''), amended section 3(a)(2)(C)(ii)(I) of the Small Business Act, 15. U.S.C. 632(a)(2)(C)(ii)(I), to change the averaging period for SBA's employee-based size standards from 12 months to 24 months. Second, the Small Business Runway Extension Act of 2018, Public Law 115–324 (''SBREA'') amended section 3(a)(2)(C)(ii)(II) of the Small Business Act, 15 U.S.C. 632(a)(2)(C)(ii)(II), to modify the requirements for proposed small business size standards prescribed by an agency without separate statutory authority to issue size standards.

A. Changes to Calculation of Number of Employees

Section 863 of the NDAA amended two provisions of section 3(a)(2) of the Small Business Act, which sets forth requirements for an agency that would prescribe a proposed size standard. First, the NDAA provides that those requirements apply to SBA when the agency acts pursuant to the authority in section 3(a)(2)(A) for SBA to specify small business definitions or size standards. Second, the NDAA amends section 3(a)(2)(C)(ii)(I) such that a proposed size standard for a manufacturing concern must provide for determining the size of the concern based on the employment during each of the concern's pay periods for the preceding 24 months. Previously, the statute specified the use of a 12-month period.

To implement these provisions, on November 2, 2021, SBA issued for comments a proposed rule to amend 13 CFR 121.106 by changing the 12-month averaging period for determining the size of a business concern under an employee-based size standard to 24 months for eligibility purposes in all of SBA's programs (86 FR 60396). In this final rule, SBA is adopting the change from the November 2021 proposed rule without change. As a result, for certifications following the effective date, the size of a business concern under an employee-based size standard will be calculated by averaging the concern's number of employees for each pay period in the preceding completed 24 calendar months. In determining a concern's number of employees, SBA counts all individuals employed on a full-time, part-time, or other basis. Part-time and temporary employees count as full-time employees, and the concern aggregates the employees of its domestic and foreign affiliates. If the concern has not been in business for 24 months, it would average its number of employees for each pay period during which it has been in business.

This change to § 121.106 applies to all industries subject to employee-based size standards. Those size standards predominantly apply to manufacturers but not exclusively. Firms in certain mining, utilities, transportation, publishing, telecommunications, insurance, research and development, and environmental remediation industries are also subjected to SBA's employee-based size standards. Significant to government contracting, nonmanufacturers also qualify for small business status for government procurement of supplies using an employee-based size standard. Though nonmanufacturers and the nonmanufacturing industries are not covered by the NDAA's change to proposed size standards, SBA believes that it would be unworkable to use a 24-month average for manufacturing industries but retain a 12-month average for other industries with employee-based size standards. Firms may participate in multiple industries, and it is burdensome to use different averaging periods for different industries with employee-based size standards.

B. Changes to Calculation of Average Annual Receipts

In a final rule published December 5, 2019 (84 FR 66561), SBA implemented SBREA by making changes to its receipts-based size standards for all SBA's programs except the Business Loan and Disaster Loan Programs. The excepted programs include: (i) The 7(a) Loan Program, the Microloan Program, the Intermediary Lending Pilot Program, and the Certified Development Company (CDC/504) Loan Program (collectively, the ''Business Loan Programs''); and (ii) the Physical Disaster Business Loans, Economic Injury Disaster Loans, Military Reservist Economic Injury Disaster Loans, and Immediate Disaster Assistance Program loans (collectively, the ''Disaster Loan Programs'' [2]).

In the November 2, 2021, proposed rule, SBA proposed to extend the changes to SBA's receipts-based size standards to the Business Loan and Disaster Loan Programs. Currently, applicants in those loan programs must calculate their average annual receipts using a three-year average; however, under the SBA's proposal, applicants may choose to use either a three-year or a five-year receipts average. Thus, an applicant would be eligible for assistance if its five-year receipts average is equal to or less than the size standard, even if it would otherwise be ineligible because its three-year average exceeds that size standard. SBA also proposed to adopt this change for its

[1] These changes do not apply to the Paycheck Protection Program (PPP) because the authority for that program expired on June 30, 2021. Similarly, due to their temporary nature, the changes also do not apply to the COVID–19 related Economic Injury Disaster Loan (EIDL) Program. Moreover, effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

[2] Some disaster loans, such as physical disaster and mitigation disaster loans, are available to firms regardless of size. Thus, the changes in this final rule are applicable only to the types of disaster loans that require applicants to meet size eligibility requirements, including Economic Injury Disaster Loans (EIDLs), Military Reservist Economic Injury Disaster Loans, and Immediate Disaster Assistance Program loans.

Small Business Investment Company (SBIC) program, allowing small business applicants for financing from an SBIC to choose to use either a three-year average or a five-year average for purposes of determining eligibility based on a receipt-based size standard. In this final rule, SBA is adopting the changes to the averaging period for calculating average annual receipts for the Business Loan, Disaster Loan, and SBIC Programs as proposed in the November 2021 proposed rule.[3]

The December 2019 final rule did not exempt the applicants in the SBA's Surety Bond Guarantee (SBG) Program from the change in the calculation of average annual receipts in accordance with Public Law 115–324. Consequently, to establish eligibility under a receipts-based size standard, the applicants to the SBG Program were using either a three-year or a five-year receipts average until January 6, 2022, and a five-year receipts average thereafter. In the November 2021 proposed rule, SBA did not propose to allow the applicants to the SBG Program to choose to use either a three-year or a five-year receipts average to establish eligibility under a receipts-based size standard. However, in response to a comment received from the public, this final rule provides that the change in the receipts calculation in the November 2021 proposed rule is also applicable to the SBG program.

Like the changes in the December 2019 final rule, these changes will expand the eligibility of larger small businesses and some mid-sized businesses for SBA's financial assistance. An advanced small business may be able to retain its small business status for a longer period, if it is close to exceeding the size standard. Similarly, a mid-sized business may be able to regain its small business status if it would otherwise have exceeded the size standard.

These changes differ in some respects from what SBA implemented in the December 2019 final rule. In particular, SBA will not issue a ''transition period'' that SBA provided in the December 2019 final rule. That rule applied size standards changes to all SBA's programs, outside of the SBA Business Loan and Disaster Loan Programs. Starting on January 6, 2020, those programs began permitting participants to elect whether to use a three-year average or a five-year average to calculate average annual receipts. That election ended on January 6, 2022, however, marking the end of the transition period for those changes. As of January 6, 2022, all SBA programs, except SBA's Business Loan and Disaster Loan Programs, use a five-year average for purposes of calculating average annual receipts.

Conversely, the changes in this final rule allow for an election for the applicants to the SBA's Business Loan, Disaster Loan, SBG, and SBIC Programs to choose either the three-year or five-year receipts average, but do not have a transition period. SBA intends to make this election available indefinitely. This recognizes the differences between the SBA's financial assistance programs and the government contracting programs, where firms are competing against one another. Where there is competition, businesses should be competing on an equal basis; therefore, the December 2019 final rule provided that, after the end of the transition period, government contractors all would use a five-year averaging period. By contrast, in the financial assistance programs, applicants are evaluated on an applicant-by-applicant basis. It is, thus, not prejudicial to ensure that applicants use the same size criteria. As a result, SBA does not believe it is necessary to limit the election in the financial assistance programs to a two-year period.

In its June 24, 2019, proposed rule to implement the provision under SBREA (84 FR 29399), SBA received some comments from participants in the business loan programs. SBA also considered those comments in preparing this final rule. Prior commenters asked that SBA use the five-year receipts average only for calculating average annual receipts, not for other aspects of loan application purposes. Accordingly, in this final rule, SBA authorizes the three-year or five-year election only for the calculation of receipts for SBA's Business Loan, Disaster Loan, SBG, and SBIC programs, but not for any other purposes. Other calculations remain unchanged. Prior commenters also asked that SBA authorize the applicants to the Business Loan Programs to continue to use a three-year average. Accordingly, this final rule uses an election, not a mandate. For the most part, lenders and applicants will continue to be able to use a three-year average. Where an applicant qualifies as small under the 3-year analysis, the analysis is complete, and the firm would not need to submit (and SBA would not need to review) any information pertaining to fiscal years beyond the last three fiscal years. The only exception will be where the applicant would not qualify as a small business using a three-year average. In that case, the applicant may use a five-year average to qualify as small. As noted previously, the applicants will also be allowed to qualify for a business loan using the alternative size standard in section 3(a)(5)(B) of the Small Business Act.

[3] Businesses seeking SBA 7(a) and 504 loans and those seeking financing from an SBIC could seek to qualify as small under a tangible net worth and net income-based alternative size standard, in addition to an industry-based employee or receipts-based size standard.

II. Discussion of Comments

In the November 2021 proposed rule, SBA sought comments on its proposal to change the 12-month averaging period for employee-based size standards to a 24-month averaging period and permit businesses in the Business Loan, Disaster Loan, and SBIC Programs to use either a three-year average or a five-year average for calculating average annual receipts for the purposes of qualifying as a small business. SBA received 17 timely comments to the proposed rule, of which 14 pertained to the SBA's proposed change in the averaging period for calculating employees. Of the 14 comments pertinent to the calculation of employees, eight supported the SBA's proposed change and five opposed it. One commenter raised concerns about how SBA defines employees generally.

SBA received nine comments pertaining to its proposal to allow applicants to the SBA's Business Loan, EIDL and SBIC Programs to choose either a three-year or five-year averaging period to calculate average annual receipts. Of the nine comments pertinent to this issue, six supported the SBA's proposed change and three opposed it. SBA also received one comment from OMB relating to a review of the information collection change related to from this rule.

SBA also received a late comment regarding the treatment of SBA's SBG program under the averaging rules. The comment raised valid concerns about how the SBG program was being treated inconsistently for receipts averaging, and, as such, SBA considers that comment below.

All public comments to the proposed rule are available at *www.regulations.gov* (RIN 3245–AH16) and are summarized and discussed below by topic, along with SBA's responses.

Comments Supporting the 24-Month Averaging Period for the Calculation of Employees

Eight commenters expressed support for SBA's proposal to change the averaging period for calculating employees for SBA's employee-based size standards from 12 months to 24 months. Commenters supporting SBA's

proposed change believed that the proposed 24-month averaging period would allow firms to better adjust to short-to-medium term spikes in hiring, provide certain growing small businesses the opportunity to retain their small business status and access to SBA programs for a longer period, and allow some firms that recently exceeded the size standard to regain their small business size status and become eligible for federal small business assistance again. One commenter expressed that SBA's proposal would give small businesses much needed flexibility during these challenging times due to the COVID–19 pandemic and will help U.S. small businesses obtain necessary support to sustain operations and recover from the pandemic.

SBA Response

SBA agrees with commenters that SBA's proposal to increase the averaging period for the calculation of employees from 12 months to 24 months will allow firms to better adjust to surges in employment in both the short and medium term. SBA also agrees with commenters that advanced small businesses will retain access to SBA's procurement and financial assistance programs for a longer period because of this change and some businesses that recently exceeded their size standard will regain their eligibility for SBA's programs. SBA believes that expanding the reach of its programs to include a greater number of small businesses supports all small businesses and the overall economy as the Nation continues to recover from the economic challenges caused by the COVID–19 pandemic and small businesses remain in need of SBA assistance.

As discussed in the regulatory impact analysis section of this rule, the change in averaging period for employees would result in four primary impacts, which can be categorized as either having a ''expansive impact'' or ''contractive impact'' on size status of both currently large and small businesses. Allowing some firms that currently do not qualify as small to gain small business status and some advanced small firms to remain small business status for a longer period represents the expansive impact of the final rule. Causing some currently small firms to lose or shorten their small business is the contractive impact.

While some small firms may experience contractive impacts from SBA's proposed change to the averaging period for employees, SBA estimates that the number of firms with expansive impacts will be greater. For example, as shown in Table 16 of this final rule, based on the 2012 Economic Census data, the number of firms with expansive impacts (1,484) exceeds the number of firms with contractive impacts (1,050), with a net impact of about 435 firms either extending or regaining their small business status. SBA estimates that changing the period for calculating the average number of employees for size standards from 12 months to 24 months would result in a net gain of about $158 million (or 0.3% increase from the baseline) in federal small business contract dollars.

Comment on Allowing a Transition Period for Calculation of Employees

Citing SBA's transition period for calculating average annual receipts, one commenter urged SBA to adopt a two-year transition period where firms could choose to use either a 12-month or 24-month averaging period to reduce any adverse impacts on small businesses caused by an abrupt change in the calculation of employees. The commenter also concurred with applying the change to both manufacturing industries and nonmanufacturers subject to employee-based size standards. The commenter maintained that in apparel manufacturing where IDIQ contracts are common, one or two large task orders may require a significant increase in the number of employees and could easily push a small business contractor over the size threshold, and it would take longer for the impacted small business to fall below the size threshold under the 24-month averaging method. Offering a transition period, the commenter added, would minimize the change's negative impact on small businesses.

SBA's Response

SBA believes that a two-year transition period for the calculation of employees at the current moment of the COVID–19 pandemic recovery will not provide enough benefit to deviate from the principles of fair competition. The data demonstrates a consistently increasing trend in employment in manufacturing and other industries subject to employee-based size standards since a drastic drop in employment in April 2020. For example, according to the Bureau of Labor Statistics (BLS) data, manufacturing employment has steadily increased from a low of about 11.4 million in April 2020 (compared to 12.7 million in March 2020) to about 12.6 million in December 2021. As discussed in the proposed rule, when the employment figures are in an increasing trend, the 24-month employee-average will typically be lower than the 12-month average. With the economy continuing to recover from the COVID–19 pandemic with employment almost returning to the pre-pandemic level, SBA expects employment to continue its increasing trend in the coming months. Accordingly, going forward SBA expects the 24-month employee average to be lower than the 12-month average for most businesses, thereby rendering a transition period no longer necessary.

For this reason, SBA will not use a multi-year transition period for the calculation of employees. That means that after this final rule takes on effect, SBA will calculate the number of employees using the 24-month averaging period only, as proposed.

Comment on Ensuring Small Business Benefits Are Targeted to Intended Beneficiaries

SBA received a comment from a trade association representing Black-owned businesses applauding SBA's efforts to adjust small business size standards and to provide more flexibility in maintaining eligibility for growing small businesses to participate in the 8(a) Business Development (BD) Program and other SBA programs. The association supported the proposed change in the averaging period for employee-based size standards from 12 months to 24 months with caution. On the one hand, the commenter maintained that this change will enable certain growing small businesses to retain their small business status longer and to remain eligible for SBA's benefits without facing a benefits cliff. On the other hand, it raised concerns that the proposed 24-month average would place undue burden on small businesses facing contractions in employees due to economic downturns and ongoing financial hardship due to the COVID–19 pandemic by causing them to lose their small business status sooner. The association urged SBA to ensure that the proposed changes do not allow large businesses to crowd out federal opportunities for small firms, including Black-owned small firms, and recommended that SBA track the size of businesses utilizing its programs to ensure that benefits from such programs are targeted to the small and disadvantaged businesses they are intended to serve.

SBA's Response

SBA agrees with the comment urging SBA to track the size of businesses utilizing its programs to ensure that benefits are targeted to the small and disadvantaged businesses that they are

intended to serve. SBA has the necessary regulations, policies, procedures, and other oversight mechanisms in place to ensure that federal small business assistance is directed to its intended beneficiaries. The Federal Government is committed to ensure equity in procurement in accordance with the President's Executive Order No. 13985 on Advancing Racial Equity and Support for Underserved Communities through the Federal Government and Office of Management and Budget (OMB) Memorandum No. M–22–03, Advancing Equity in Federal Procurement. Additionally, each year SBA releases a Small Business Procurement Scorecard on how the 24 Chief Financial Officer (CFO) Act agencies performed on their small business and socio-economic business contracting goals. The Scorecard is an assessment tool to measure how well the Federal Government performs in reaching its small business and socio-economic prime contracting and subcontracting goals, provide accurate and transparent contracting data, and report agency-specific progress. The prime and subcontracting component goals include goals for small businesses, woman-owned small businesses (WOSBs), small-disadvantaged businesses (SDBs), service-disabled veteran-owned small businesses (SDVOSBs), and small businesses located in Historically Underutilized Business Zones (HUBZone SBCs). Each year, SBA works with each CFO Act agency to set their prime contracting goals and ensures that the sum total of all agencies' goals meets the 23% small business prime contracting goal for the Federal Government, as well as the socio-economic goals established by statute and Executive Branch policy.

Moreover, in December 2021, SBA released for the first time small business contracting data disaggregated by race and ethnicity. This release serves as a baseline for evaluating government-wide performance within each of the socio-economic categories going forward. SBA continues to believe that the metrics provided by these releases are important tools in evaluating the effectiveness of SBA's programs and ensuring that small business benefits are flowing to the intended beneficiaries.

Comments Opposing a 24-Month Averaging Period for the Calculation of Employees

Five commenters opposed SBA's proposal to change the averaging period for SBA's employee-based size standards from 12 months to 24 months. Two commenters opposed SBA's proposed change based on the belief that increasing the averaging period would cause some firms with temporary surges in employment to remain other than small for a longer period than would be the case under the current averaging period. Three commenters opposed SBA's proposed change to increase the averaging period for the calculation of employees on the grounds that it would allow larger small businesses to retain their small business status longer and some mid-size firms that have just exceeded the size standard to regain their small status, and thus would reduce the number of federal contracting opportunities and financial assistance available to existing small firms, especially the smaller small firms. One commenter maintained that businesses facing a decline in employment due to an economic downturn or other financial hardship may lose their small business status sooner under a longer 24-month averaging period and may have to wait longer to regain the small business status.

SBA's Response

The change in the averaging period for employees from 12 months to 24 months was statutorily required. In this final rule, SBA is implementing a statutory change requiring the use of a 24-month averaging period. While businesses may have to wait a little longer under the 24-month averaging period to regain small business status after exceeding the size standard due to a temporary surge in employees, SBA believes that, in the long-run, the 24-month average provides a better and more stable measure of business size, and it gives all small businesses an expanded runway to grow and become competitive for federal opportunities. Small businesses with increasing number of employee counts can maintain their small business status for a longer period under the longer 24-month averaging period. With the availability of an expanded pool of small businesses under the change, the Federal Government is likely to set aside more contracts for small businesses, thereby benefiting all small businesses in the federal market. Based on the analysis of SBA's business loan and economic injury disaster loan (EIDL) data for fiscal years 2018–2020, the change in the calculation of employees will have a very minimal impact on small businesses seeking SBA's loans, with a vast majority of such loans going to businesses that are substantially smaller than their industry size standards. Overall, the benefits from the change to the 24-month averaging period outweigh any negative impacts of this change.

While some small firms may experience contractive impacts due to SBA's change to the averaging period, causing them to either lose or shorten their small business size status, SBA believes that the number of firms experiencing expansive impacts will be greater. As stated previously, SBA estimates that changing the averaging period for calculating the average number of employees for size standards from 12 months to 24 months will result in a net gain of about $158 million (or 0.3% increase from the baseline) in federal small business contract dollars. As such, SBA determines that the net impacts of the rule support adopting the change.

Moreover, SBA believes that the Federal Government and existing small businesses will benefit from the increased number of firms eligible to participate in SBA's programs because of the change to the averaging period for the calculation of employees. With an expanded pool of small businesses, the Federal Government will have access to a greater number of qualified small businesses to source from, and as a result, will likely set aside more contracts for small businesses. Moreover, SBA analyzed its internal data on 7(a) and 504 loans for fiscal years 2018–2020 and determined that 97% of loans to firms in industries with employee-based size standards were to firms with fewer than 50 employees, indicating that the majority of firms receiving SBA's financial assistance are much smaller than the size standards. Thus, SBA does not anticipate that changes to the averaging period for the calculation of employees will significantly impact the distribution of loans by size of firm.

Comment on Including Nonmanufacturing Industries in the Proposed Change in the Calculation of Employees

One commenter opposed to SBA's proposal believed that SBA's proposed changes in the calculation of employees applied only to industries in the manufacturing sector, and not to other industries with employee-based size standards in other sectors. Thus, the commenter argued that SBA's changes were arbitrary and capricious. The same commenter also argued that it would be arbitrary and capricious if SBA were to expand the requirements of this rule to industries apart from manufacturing since Congress did not explicitly provide for nonmanufacturing industries to be covered by this change.

SBA's Response

SBA disagrees that applying the 24-month averaging period to all industries with an employee-based size standard is arbitrary. SBA believes that determining the size of a business concern consistently for all employee-based size standards avoids confusion and misapplication of the rules and is a reasonable application of the statutory provision. SBA proposed to change the averaging period for all employee-based size standards. Thus, in addition to the manufacturing industries, all nonmanufacturing industries and nonmanufacturers subject to employee-based size standards would be affected by the change. In the proposed rule, SBA stated that it would be confusing and unworkable to apply the 24-month averaging period to the manufacturing industries and 12-month averaging period to the nonmanufacturing industries and nonmanufacturers subject to employee-based size standards, as some businesses operate in both manufacturing and nonmanufacturing industries and some manufacturers also supply to Government as nonmanufacturers. Additionally, a nonmanufacturer may compete against manufacturers on the same procurement, and the principle of fair competition would have all competitors use the common averaging period. Thus, SBA is applying the change to all employee-based industries. Similarly, under the SBREA, Congress only changed the averaging period to calculate average annual receipts for services firms, but for consistency and to avoid confusion, SBA adopted the change for all industries subject to receipts-based size standards, including nonservices industries like construction and agriculture. Likewise, in this rule, for consistency and to avoid confusion, SBA is adopting the change in the averaging period for all industries subject to employee-based size standards.

Comment on Closing the Loophole in Calculating Employees

SBA also received one comment that neither expressed support nor opposition to the proposed change, but rather raised concerns about how SBA defines employees for size standards purposes. Specifically, the commenter urged SBA to close the loophole that allows advanced small businesses to remain perpetually small, or even large businesses in some cases to qualify as small, by outsourcing work to others or using independent contractors (1099 contractors).

SBA's Response

SBA disagrees with the premise underlying this comment. SBA counts all individuals employed on a full-time, part-time, or other basis. This includes employees obtained from a temporary employee agency, professional employee organization or leasing concern (see 13 CFR 121.106). In SBA Size Policy Statement No. 1, 51 FR 6099, SBA further clarified that the ''other basis'' ground reaches situations where the firm artificially reduces its number of employees to meet the size standards and qualify for SBA's assistance. SBA will consider the totality of the circumstances to prevent circumvention of the SBA's size regulations, and that may include situations where the firm would change employees' statuses in order to reduce the firm's size for SBA purposes. *See Size Appeal of Maryland Assemblies, Inc.,* SBA No. SIZ–3134 (1989).

Comments That Proposed Changes Help Large Businesses

While a soon-to-be graduate from SBA's 8(a) BD program expressed general appreciation for the benefit of a smooth transition from an SBA's set-aside program to full and open competition under the 24-month averaging period, it expressed concerns with respect to the size standard for the Environmental Remediation Services (ERS) exception to NAICS 562910 (Remediation Services). Specifically, the commenter argued that the ERS exception already has an exceedingly high small business threshold of 750 employees and a firm at that size would have necessary resources to adequately plan for its growth to an other than small business. Allowing a firm to remain qualified as a small business longer under the change would be detrimental to other small businesses when competing for federal opportunities intended for them.

One commenter opposed expanding eligibility in the current environment to benefit large businesses and urged SBA to direct more resources to underserved small businesses, especially woman-owned and disadvantaged small businesses, before expanding eligibility to include current large businesses. Another commenter opposed both proposed changes, arguing that these and past changes are contrary to the SBA's mission to help small businesses. The commenter believed that both the size standards and averaging periods for calculating the business size keep increasing, thereby causing Government support intended for small businesses to go to large businesses. The commenter maintained that the definition of what is small has become incredibly high, thereby forcing actual small businesses to compete with large businesses with up to 1,000 employees or more than $30 million in revenue that do not need financial assistance nor contracting preferences.

SBA's Response

Size standards for specific industries or subindustries (or ''exceptions''), such as the 750-employee size standard for the ERS exception to NAICS 562910, are outside the scope of this rulemaking. Interested parties will have an opportunity to comment on the ERS size standard when SBA issues a separate proposed rulemaking on the review of employee-based size standards as part of the second five-year review of size standards.

SBA disagrees with the comment suggesting that SBA should not implement this statutory change from the NDAA. As stated previously, SBA believes that the 24-month employee average provides a better and more stable measure of business size and it gives all small businesses, including disadvantaged small businesses, an expanded runway to grow and become competitive for federal opportunities. More importantly these changes are mandated by Congress.

Moreover, SBA believes that expanding access to SBA's financial assistance programs will help all small businesses to adapt to changes in business environment, recover from disasters more quickly, and grow successfully, while having no impact on the ability of smaller small firms to access financial services from SBA. Applicants to SBA's financial assistance programs are typically much smaller than the industry size standard, and thus, would remain eligible for assistance after this rule is adopted. Also, SBA does not believe that the changes adopted in this final rule will create increased competition for loans between smaller and larger small businesses as the impacts to the loan program in terms of additional loans to small firms are minimal relative to the baseline.

Comments Supporting the Option To Use Either a Three-Year or Five-Year Average for the Calculation of Average Annual Receipts for SBA's Business Loan, Disaster Loan, and SBIC Programs

Six commenters expressed support for the SBA's proposal to give applicants to the SBA's Business Loan, Disaster Loan, and SBIC Programs an option to use either a three-year or five-year averaging period for the calculation of average

annual receipts. The commenters maintained that the proposed change would allow more businesses to become eligible for SBA's assistance, provide flexibility in measuring size which will help small businesses obtain Government support to recover from the COVID–19 pandemic and help small businesses to get more SBIC funding. One commenter urged SBA to continue to allow applicants for SBA's business loan assistance to also qualify using the tangible net worth and net income based alternative size standard.

SBA's Response

SBA agrees with the commenters that its proposal to allow the applicants in the SBA's financial assistance programs to choose either the three-year or five-year receipts average will increase the number of small businesses that are eligible for such assistance. Like the SBA proposal to increase the averaging period for calculation of employees from 12 months to 24 months, the proposal to allow a firm to choose either a three-year or five-year averaging period for the calculation of average annual receipts will also enable more established business concerns to extend their small business status and some businesses that have just exceeded the size standard to regain small business status. This change will be particularly beneficial to those small businesses which cannot qualify under the alternative size standard.

Comments on Impacts of the Proposed Change on the SBIC Program Participants

SBA received two comments regarding the impacts of the SBA's proposal to allow applicants for the SBIC financing to choose the five-year averaging period to calculate average annual receipts, in addition to the existing three-year averaging period. One comment expressed support for the SBA's proposal, and the other opposed it. The commenter supporting the proposal argued that the proposed change will offer additional tools to help small businesses compete for capital they need. The commenter who opposed the proposed change argued that this will cause more SBIC funding to go to mid-size and larger small businesses at the expense of smaller small firms. The same commenter suggested improving data collection on the SBIC participants to be able to better assess the impact of the proposed change on the program.

SBA's Response

SBA agrees with the comment that some applicants that do not qualify as small under the three-year receipts average could qualify under the five-year receipts average, thereby increasing the number of firms eligible to receive SBIC funding. For clarity, because the SBIC program was not specifically exempted from SBA's prior change to the receipts-based averaging period, the program was covered by the change. Thus, from January 2020 to January 2022, the regulation included a three-year or five-year option for the SBIC program. The final rule continues that option indefinitely, rather than suspending it after January 2022. In other words, as of its effective date, this final rule will reinstate the option of choosing the 3-year or 5-year receipts-average for the SBIC program indefinitely.

SBA disagrees that adopting the proposed changes to the calculation of employees and average annual receipts will cause SBIC funding to go to mid-size and larger small businesses at the expense of smaller small firms. SBA estimates that there will be minimal impact to existing small businesses receiving SBIC funding since the number of firms newly qualifying under the five-year average would also likely qualify under the alternative size standard which is already used for assessing eligibility to receive SBIC funding. Moreover, of the businesses above the three-year receipts average, a larger number would qualify under the alternative size standard than under the five-year receipts average. The commenter did not provide any data demonstrating that the proposed changes in averaging periods for calculating employees and average annual receipts would cause more SBIC funding to go to larger small and mid-size firms to the detriment of smaller small businesses.

Comment on Allowing the Option of Choosing Three-Year or Five-Year Receipts Average for Federal Contractors Indefinitely

One commenter commended SBA for providing flexibility for firms competing for federal contracts by allowing them to report either the three-year or five-year average receipts. The commenter added that this expands a pool of small contractors and expands opportunities to small businesses, including Black-owned small firms. The commenter also maintained that SBA's proposal would allow fast growing small businesses that cannot qualify as small under the three-year receipts average to elect to use the five-year receipts-average. Conversely, businesses experiencing declining revenues can use the three-year receipts average, rather than the five-year average, to qualify as small and become eligible for much needed federal opportunities. The commenter urged SBA to maintain the flexibility of choosing between the three-year or five-year receipts average indefinitely to the benefit of growing small businesses that continue to struggle to win federal opportunities.

Another commenter recommended that SBA should allow three-year or five-year average receipts for small businesses without referencing to any specific program, such as the SBA's financial or contracting programs.

SBA's Response

In the December 5, 2019, final rule implementing the Small Business Runway Extension Act of 2018 (''SBREA''), which changed the averaging period for calculating average annual receipts from three years to five years (84 FR 66561), SBA provided a two-year transition period until January 6, 2022, in which businesses were able to use either the three-year or five-year averaging period to calculate average annual receipts for all SBA's programs other than the SBA's Business and Disaster Loan Programs. After January 6, 2022, SBA's calculation of average annual receipts is based only on the five-year averaging period for SBA's contracting and other programs, except for SBA's Business and Disaster Loan Programs. In the November 2, 2021, proposed rule, SBA proposed to permanently allow only the applicants in its Business Loan, Disaster Loan, and SBIC Programs to use either the three-year or five-year averaging period for calculating average annual receipts. The calculation of average annual receipts for SBA's contracting programs is not part of this rulemaking. The November 2, 2021, proposed rule did not discuss the possibility of further extending the option to choose a three-year or five-year averaging period for Federal small business procurement opportunities. Thus, in this final rule, SBA is not granting an option of choosing either the three-year or five-year averaging period indefinitely for federal procurement purposes.

Comments Opposing the Option To Use Either a Three-Year or Five-Year Average for the Calculation of Average Annual Receipts for SBA's Business Loan, EIDL, and SBIC Programs

Three commenters opposed SBA's proposal to give applicants to SBA's Business Loan, EIDL, and SBIC Programs the option to use either a three-year or five-year average for the calculation of average annual receipts. The commenters argued that the number

of small businesses eligible for SBA's assistance would be increased by allowing larger small businesses to extend their small business status and some mid-size businesses to regain their small business status. They maintained that this would not only make it more difficult for smaller small businesses to compete for capital that they need, but also would cause assistance intended for small businesses to go to large businesses. The commenters added that this is contrary to SBA's mission to assist truly small businesses.

SBA's Response

SBA estimates that, as a result of its decision to give applicants to SBA's Business Loan, EIDL, and SBIC Programs the option to use either a three-year or five-year averaging period for the calculation of average annual receipts, more firms will be eligible to participate in these programs. SBA believes that expanding the reach of its programs to include a greater number of small businesses supports all small businesses and the overall economy as the Nation continues to recover from the economic challenges caused by the COVID–19 pandemic. The three commenters opposing SBA's proposal did not submit any data or additional analysis to support their position that SBA's changes would make it difficult for smaller small businesses to compete for capital and cause assistance intended for small businesses to go to large businesses.

Although more firms will be eligible to participate in SBA's financial assistance programs as a result of the proposed changes to the averaging periods, SBA does not anticipate that these changes will significantly impact the distribution of loans by size of firm or impact the ability of any firm to obtain assistance from SBA. Based on its internal data on its financial assistance programs, SBA determined that applicants to these programs are generally much smaller than their industry size standards, or may qualify under SBA's alternative size standard, which is not affected by this rule. Thus, SBA believes that although a greater number of larger small businesses will become eligible to participate in SBA's financial assistance programs, the number of larger small firms that actually participate in such programs will be much lower. Under SBA's 7(a) and 504 loan programs, based on the data for fiscal years 2018–2020, SBA estimates that about five SBA 7(a) and 504 loans totaling $2.1 million could be made to larger small businesses experiencing expansive impacts under this rule. Additionally, small businesses could receive up to two additional EIDL loans totaling $0.2 million due to the expansion of their size status. Together, these amounts represent a 0.01% increase to the loan amount relative to the baseline. Moreover, the increase in the number of firms eligible for financial assistance in no way reduces or eliminates the ability of smaller firms to remain eligible for such assistance. In other words, there is no competition for financial assistance. That is, when one firm gets financial assistance, that does not reduce or eliminate the possibility for another firm to get such assistance. All firms eligible under the current rules would continue to be eligible under the change and all eligible firms would get financial assistance.

Therefore, SBA disagrees with commenters that its proposal to give applicants to SBA's Business Loan, EIDL, and SBIC Programs the option to use either a three-year or five-year average for the calculation of average annual receipts will harm existing small businesses by making it harder for them to obtain financial assistance from SBA. Thus, SBA is adopting the change to the averaging period for calculating average annual receipts in SBA's Business Loan, Disaster Loan, and SBIC Programs, as proposed.

Comment Advocating for Treating the SBG Program Similarly to the Business Loan and Disaster Loan Programs

One comment observed that, under the prevailing structure in the proposed rule, the SBG program would be required to use five years of documentation to verify a small business's eligibility under SBA's size standards. The commenter believed that this requirement was burdensome on SBG program applicants in terms of both cost and time. The commenter asked that SBA treat the SBG program similarly to the Business Loan and Disaster Loan programs by exempting the SBG program from the five-year requirement. In support, the commenter pointed out that SBA's Office of Surety Bond Guarantees is part of SBA's Office of Capital Access.

SBA's Response

SBA recognizes that requiring all SBG applicants to use a five-year average would create additional time and cost burdens on many SBG applicants. Additionally, as the commenter observed, the SBG Program is housed in SBA's Office of Capital Access, which operates SBA's Business Loan program. SBA believes that treating the SBG program similarly to the Business Loan programs promotes consistency among SBA's programs and creates less confusion about what rules apply to which programs. Therefore, in this final rule, SBA adds the SBG program to the list of programs in which applicants may elect to use a three-year receipts average or a five-year receipts average.

On the same reasoning, however, SBA disagrees with the commenter that the SBG program should be entirely exempt from using a five-year receipts average. All of SBA's programs are required by the Small Business Act to adopt a five-year receipts average in some respect. SBA therefore is allowing SBA surety bond applicants to use either a three-year or five-year average. As discussed in the impact analysis below, this change will have a small expansive effect on the program.

Conclusion

Based on the reasons discussed above, SBA is adopting the proposed changes without change. Specifically, pursuant to Public Law 116–283, SBA is adopting its proposal to increase the averaging period for computing the number of employees for size standards from 12 months to 24 months for all programs. Similarly, pursuant to Public Law 115–324, SBA is also adopting its proposal to permit the applicants to its Business Loan, Disaster Loan, and SBIC programs to elect to choose either the three-year or five-five year averaging period for calculation of average annual receipts. While the proposed rule did not include the SBG program in the option of electing 3-year or 5-year averaging period in calculating average annual receipts, pursuant to a public comment and to maintain consistency across SBA's financial programs, SBA is also allowing the applicants to the SBG program to choose either the three-year or 5-year averaging period.

III. Section-by-Section Analysis

A. Section 121.104

In paragraph (c)(1), this final rule removes the sentence about certifications submitted prior to January 2022 because that date has now passed.

In paragraphs (c)(1), (c)(2), and (c)(3), SBA adds the SBG and SBIC Programs to the list of programs that are excepted from SBA's current rule on calculating average annual receipts.

In paragraph (c)(4), SBA amends the calculation of average annual receipts for the Business Loan, Disaster Loan, SBG, and SBIC Programs. A business in those programs may calculate its receipts using either a three-year average or a five-year average for the purposes of determining its size under a receipts-based size standard. This change does not affect the calculation of

any other figures in SBA's programs. In particular, alternative size standards are not affected by this change.

B. Section 121.106

In paragraphs (b)(1) and (b)(3), SBA amends the current 12-month averaging period to a 24-month averaging period. Businesses that have been in existence for more than 24 months would calculate their number of employees by averaging the number of employees for each pay period for the preceding completed 24 months. Businesses that have been in existence for fewer than 24 months would average their number of employees for each pay period during their existence.

C. Section 121.903

In paragraph (a)(1)(i), SBA amends the averaging period for size standards proposed by other agencies from a 12-month period to a 24-month period.

Compliance With Executive Orders 12866, 12988, 13132, and 13563, the Congressional Review Act (5 U.S.C. 801–808), the Regulatory Flexibility Act (5 U.S.C. 601–612), and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

Executive Order 12866

The Office of Management and Budget (OMB) has determined that this final rule is a significant regulatory action for purposes of Executive Order 12866. Accordingly, below, SBA provides a benefit-cost analysis of this final rule, including: (1) a statement of the need for this action, and (2) an evaluation of the benefits and costs—both quantitative and qualitative—of this regulatory action.

Regulatory Impact Analysis

A. Benefit-Cost Analysis

1. What is the need for this regulatory action?

As stated elsewhere, the Small Business Act delegates to SBA's Administrator the responsibility for establishing small business size definitions (usually referred to as ''size standards''). First, Public Law 116–283 (NDAA 2021) changed the averaging period for SBA's employee-based size standards from 12 months to 24 months. Second, in 2018, Public Law 115–324 (SBREA) modified the requirements for proposed small business size standards prescribed by an agency without separate statutory authority to issue size standards. Specifically, Public Law 115–324 changed the averaging period for receipts-based size standards for services industries from three years to five years.

The need of this final rule is to carry out the intent of Public Law 116–283 and Public Law 115–324, and to ensure consistency in the calculation of average number of employees and average annual receipts for size standards across the Federal Government. In addition to the averaging requirements, size standards prescribed under section 3(a)(2)(C)(ii) of the Small Business Act must meet two other requirements: (1) be proposed with an opportunity for public notice and comment, and (2) be approved by the Administrator. Neither Public Law 116–283 nor Public Law 115–324 repeals these two requirements, and this final rule satisfies these requirements.

SBA's mission is to aid and assist small businesses through a variety of financial, procurement, business development and counseling, and disaster assistance programs. This regulatory action promotes the Administration's goals and objectives and meets the SBA's statutory responsibility to implement a new law impacting size definitions for small businesses. One of SBA's goals in support of promoting the Administration's objectives is to help small businesses succeed through access to capital, Federal Government contracts and purchases, and management, technical and disaster assistance.

2. What are the potential effects of this regulatory action?

i. Potential Effects of Changing the Calculation of Employees

Changing the period for calculating average number of employees from 12 months to 24 months may enable some mid-size businesses that have just exceeded size standards to regain small business status. Similarly, it could also allow some advanced and larger small businesses about to exceed size standards to retain their small status for a longer period. However, it could also result in some advanced small businesses having the 24-month employee average that happens to be higher than the 12-month employee average, thus ejecting them out of their small business status sooner. Detailed impacts of this change are discussed below.

It is difficult to determine the actual number of small and mid-size businesses that would be impacted by Public Law 116–283 and this regulatory action because there is no data on businesses' employment by month or by pay period. The employment data from the Economic Census special tabulation are only available once every five years. Similarly, the System for Award Management (SAM) only records the data on the concern's average number of employees for each pay period in the preceding completed 12 calendar months, but not their employee counts for each pay period or each month. For example, the 12-month average employee data for January 2020 is an average of number of employees for each pay period during preceding completed 12 calendar months (*i.e.,* January 2019 to December 2019). Similarly, the 24-month average employee value for January 2020 is an average of number of employees for each pay period during preceding completed 24 calendar months (*i.e.,* January 2018 to December 2019).

Given the lack of employment data for each pay period or each month, SBA approximates a firm's 24-month average number of employees as of January 2020 as follows:

$$AvgEmployee_{18-19} = \frac{1}{24} * \{(12 * AvgEmployee_{2018\ (SAM)}) + (12 * AvgEmployee_{2019\ (SAM)})\}$$

$$= \frac{1}{2} * \{(AvgEmployee_{2018\ (SAM)}) + (AvgEmployee_{2019\ (SAM)})\}$$

where:

$$AvgEmployee_{2018} = \frac{1}{t} \sum_{k=1}^{t} (Employee_{k,2018})$$

$$AvgEmployee_{2019} = \frac{1}{t} \sum_{k=1}^{t} (Employee_{k,2019})$$

where k = 1, 2, . . . t pay periods.

To estimate the 24-month employee average using the above formula, SBA analyzed the 2019 SAM extracts (as of September 1, 2019) and 2018 SAM extracts (as of September 1, 2018). The 24-month average employee formula would only work for businesses that were present in both 2018 and 2019 SAM extracts. One challenge was that some businesses found in 2019 SAM could not be found in 2018 SAM and vice versa. Excluding entities registered in SAM for purposes other than government contracting and entities ineligible for small business consideration (such as foreign entities and state-controlled institutions of higher learning), there were a total of 152,450 unique business concerns in 2019 SAM subject to at least one employee-based size standard. Of these concerns, 131,295 (or about 86.1%) were ''small'' in all North American Industry Classification System (NAICS) industries, 2,663 (or 1.7%) were ''small'' in some industries and ''not small'' in other industries, and 18,492 (or 12.1%) were ''not small'' in any industry subject to an employee-based size standard.

Excluding entities with ''null'' or ''zero'' employee values, 128,599 firms (or about 84.4%) appeared both in 2019 SAM and in 2018 SAM and were included in the 24-month average employee approximation and calculation of number of businesses impacted. Of those 128,599 matched firms subject to an employee-based size standard, 108,541 (or about 84.4%) were ''small'' in all NAICS industries, 2,526 (or 2%) were ''small'' in some industries and other than small (''not small'') in other industries, and 17,532 (or about 13.6%) were ''not small'' in any industry. In other words, 133,958 (or 87.9%) of 152,450 total concerns in SAM 2019 and 111,067 (or 86.4%) of 128,599 total matched firms were small in at least one NAICS industry with an employee-based size standard. These results are summarized in Table 1, ''Size Status of Businesses in Industries Subject to Employee-Based Size Standards.''

TABLE 1—SIZE STATUS OF BUSINESSES IN INDUSTRIES SUBJECT TO EMPLOYEE-BASED SIZE STANDARDS

Size status	Total firms in 2019 SAM subject to least one employee-based size standard		Firms in both 2018 SAM and 2019 SAM (matched)		% Matched	Total to matched ratio *
	Number of firms	%	Number of firms	%		
Small in at least one industry	133,958	87.9	111,067	86.4	82.9	1.206
Small in all industries	131,295	86.1	108,541	84.4	82.7	1.210
Small in some and not small in others	2,663	1.7	2,526	2.0	94.9	1.054
Large in all industries	18,492	12.1	17,532	13.6	94.8	1.055
Total	152,450	100.0	128,599	100.0	84.4	1.185

* To be used to translate the results from the matched data to overall 2019 SAM data.

According to Table 2, ''Distribution of Business Concerns Subject to Employee-Based Size Standards by Number of NAICS Codes,'' the distribution of firms by the number of NAICS codes in the matched data is very similar to that for the overall 2019 SAM data. About 45% of firms were in only one NAICS code that has an employee-based size standard, about 40% in 2–5 NAICS codes, about 9% in 6–10 NAICS codes, and about 5% in more than 10 NAICS codes. In other words, 55% of firms were in multiple NAICS codes with employee-based size standards. Thus, it is quite possible that the change may impact a firm's small business status in multiple industries. For purposes of this analysis, an impacted firm is defined as one that would be impacted by the change in terms of gaining, regaining, extending, or losing small business status in at least one industry with an employee-based size standard.

TABLE 2—DISTRIBUTION OF BUSINESS CONCERNS SUBJECT TO EMPLOYEE-BASED SIZE STANDARDS BY NUMBER OF NAICS CODES

Number of NAICS codes	Total firms in 2019 SAM with at least one employee-based NAICS code		Matched firms between 2019 and 2018 SAM	
	Count	%	Count	%
1 NAICS code	70,200	46.0	57,498	44.7

TABLE 2—DISTRIBUTION OF BUSINESS CONCERNS SUBJECT TO EMPLOYEE-BASED SIZE STANDARDS BY NUMBER OF NAICS CODES—Continued

Number of NAICS codes	Total firms in 2019 SAM with at least one employee-based NAICS code		Matched firms between 2019 and 2018 SAM	
	Count	%	Count	%
2 to 5 NAICS codes	61,266	40.2	52,599	40.9
6 to 10 NAICS codes	13,540	8.9	11,798	9.2
>10 NAICS codes	7,444	4.9	6,704	5.2
Total	152,450	100.0	128,599	100.0

Note: A business concern is defined in terms of a unique local (vendor) DUNS number.

A central premise of Public Law 116–283 is that a 24-month employee average (as opposed to a 12-month employee average) would enable some mid-size businesses who have recently exceeded the size standard to regain small business status and some advanced small businesses close to exceeding the size standard to retain their small business status for a longer period. However, this premise would only hold true when businesses' monthly employees are rising. When businesses' monthly employees are declining, due to economic downturns or other factors, the 24-month employee average could be higher than the 12-month employee average, thereby causing small businesses close to their size standards based on the 12-month average to lose their small business status sooner. In some cases where the 24-month employee average could be higher than the size standard, thereby forcing small businesses to lose their small status immediately when the longer 24-month averaging period becomes effective. Additionally, such businesses with declining employees would have to wait longer to regain their small business status.

ii. Potential Effects of Changing the Calculation of Receipts

Changing the periods for calculating average annual receipts from three years to five years, pursuant to Public Law 115–324, may enable some mid-size businesses that have just exceeded size standards to regain small business status. Similarly, it could also allow some advanced and larger small businesses about to exceed size standards to retain their small business status for a longer period. However, it could also result in some advanced small businesses having a five-year receipts average that happens to be higher than the three-year receipts average, thus ejecting them out of their small business status sooner. To mitigate this negative impact, SBA is permitting to allow applicants to its Business Loan, Disaster Loan, SBG, and SBIC Programs to choose either a three-year average or a five-year average. Thus, an applicant might be eligible for assistance if its five-year average is equal to or less than the size standard, even if it would otherwise be ineligible under the three-year average. Detailed impacts of this change are discussed below.

It is difficult to determine the actual number of small and mid-size businesses that would be impacted by Public Law 115–324 and this regulatory action because there is no annual data on receipts of businesses. The annual receipts data from the Economic Census special tabulation are only available once every five years. Similarly, the System for Award Management (SAM) only records the data on three-year average annual receipts of businesses over their three preceding fiscal years, but not their annual receipts for each fiscal year. For example, the receipts data for year 2019 is an average of annual receipts for 2018, 2017, and 2016. Similarly, the receipts data for 2018 is an average of annual receipts for 2017, 2016, and 2015, and so on. A five-year receipts average for 2019 would be an average of annual receipts for 2018, 2017, 2016, 2015, and 2014.

Given the lack of annual receipts for each year, SBA approximated a firm's five-year average annual revenue for 2019 as follows:

$$AvgRevenue_{2014-18}$$

$$= \frac{1}{5} * \left\{(2 * AvgRevenue_{2016\,(SAM)}) + (3 * AvgRevenue_{2019\,(SAM)})\right\}$$

where:

$$AvgRevenue_{2016\,(SAM)} = AvgRevenue_{2013-15} =$$

$$= \frac{1}{3} * (Revenue_{2013} + Revenue_{2014} + Revenue_{2015})$$

and

$$AvgRevenue_{2019\,(SAM)} = AvgRevenue_{2016-18} =$$

$$= \frac{1}{3} * (Revenue_{2016} + Revenue_{2017} + Revenue_{2018}).$$

This result may slightly underestimate the five-year revenue average when annual revenues are rising (*i.e.,* 2015 revenue > 2014 revenue > 2013 revenue) and overestimate it if annual revenues are declining (*i.e.,* 2015 revenue < 2014 revenue < 2013 revenue).

To estimate the five-year receipts average for 2019 using the above formula, SBA analyzed the 2019 SAM extracts (as of September 1, 2019) and 2016 SAM extracts (as of September 1, 2016). The above five-year average annual receipts formula would only work for businesses that were present in both 2016 and 2018 SAM extracts. One challenge was that some businesses found in 2019 SAM could not be found in 2016 SAM and vice versa. Excluding entities registered in SAM for purposes other than government contracting and entities ineligible for small business consideration (such as foreign entities and state-controlled institutions of higher learning), there were a total of 334,990 unique business concerns in 2019 SAM subject to at least one receipts-based size standard. Of these concerns, 282,671 (or about 84.4%) were ''small'' in all NAICS industries, 9,783 (or 2.9%) were ''small'' in some industries and ''not small'' in other industries, and 42,536 (or 12.7%) were ''not small'' in any industry.

Excluding entities with ''null'' or ''zero'' receipts values, 192,295 firms (or about 57.4%) appeared both in 2019 SAM and in 2016 SAM and were included in the five-year average annual receipts approximation and calculation of number of businesses impacted. Of those 192,295 matched firms subject to a receipts-based size standard, 152,040 (or about 79%) were ''small'' in all NAICS industries, 8,081 (or 4.2%) were ''small'' in some industries and other than small (''not small'') in other industries, and 32,174 (or about 16.7%) were ''not small'' in any industry. In other words, 292,454 (or 87.3%) of 334,990 total concerns in SAM 2019 and 160,121 (or 83.3%) of 192,295 total matched firms were small in at least one NAICS industry with a receipts-based size standard. These results are summarized in Table 3, ''Size Status of Businesses in Industries Subject to Receipts-Based Size Standards.''

TABLE 3—SIZE STATUS OF BUSINESSES IN INDUSTRIES SUBJECT TO RECEIPTS-BASED SIZE STANDARDS

Size status	Total firms in 2019 SAM subject to least one receipts-based standard		Firms in both 2016 SAM and 2019 SAM (matched)		% Matched	Total to matched ratio *
	Number of firms	%	Number of firms	%		
Small in at least one industry	292,454	87.3	160,121	83.3	54.8	1.826
Small in all industries	282,671	84.4	152,040	79.1	53.8	1.859
Small in some and not small in others	9,783	2.9	8,081	4.2	82.6	1.211
Large in all industries	42,536	12.7	32,174	16.7	75.6	1.322
Total	334,990	100.0	192,295	100.0	57.4	1.742

* To be used to translate the results from the matched data to overall 2019 SAM data.

According to Table 4, ''Distribution of Business Concerns Subject to Receipts-Based Size Standards by Number of NAICS Codes,'' the distribution of firms by the number of NAICS codes in the matched data is very similar to that for the overall 2019 SAM data. About 41–43% of firms were in only one NAICS code that has a receipts-based size standard, about 35% in 2–5 NAICS codes, about 12% in 6–10 NAICS codes, and about 8–10% in more than 10 NAICS codes. In other words, 57–59% of firms were in multiple NAICS codes with receipts-based size standards. Thus, it is quite possible that the change may impact a firm's small business status in multiple industries. For purposes of this analysis, an impacted firm is defined as one that would be impacted by the change in terms of

gaining, regaining, extending, or losing small business status in at least one industry with a receipts-based size standard.

TABLE 4—DISTRIBUTION OF BUSINESS CONCERNS SUBJECT TO RECEIPTS-BASED SIZE STANDARDS BY NUMBER OF NAICS CODES

Number of NAICS codes	Total firms in 2019 SAM with at least one receipts-based NAICS code		Matched firms between 2019 and 2016 SAM	
	Count	%	Count	%
1 NAICS code	145,267	43.4	79,701	41.4
2 to 5 NAICS codes	120,078	35.8	68,168	35.4
6 to 10 NAICS codes	40,595	12.1	24,461	12.7
>10 NAICS codes	29,050	8.7	19,965	10.4
Total	334,990	100.0	192,295	100.0

Note: A business concern is defined in terms of a unique local (vendor) DUNS number.

A central premise of Public Law 115–324 is that a five-year annual receipts average (as opposed to a three-year annual receipts average) would enable some mid-size businesses who have recently exceeded the size standard to regain small business status and some advanced small businesses close to exceeding the size standard to retain their small business status for a longer period. However, this premise would only hold true when businesses' annual revenues are rising. When businesses' annual revenues are declining, due to economic downturns or other factors, the five-year annual receipts average could be higher than the three-year annual receipts average, thereby causing small businesses close to their size standards to lose their small business status sooner. To mitigate such negative impacts on small businesses, SBA proposes, in consideration of public comments on the June 2019 proposed rule and the results from its own analysis, to permit businesses in the Business Loan, Disaster Loan, and SBIC Programs to use either a three-year average or a five-year average for calculating average annual receipts for the purposes of qualifying as a small business.

B. Impacts on Businesses From the Changes in Calculation of Employees and Receipts for Size Standards

1. Impacts on Businesses From Changing the Averaging Period for Employees From 12 Months to 24 Months

By comparing the approximated 24-month employee average with the current employee-based size standard for each of the 128,599 matched business concerns in each NAICS code subject to an employee-based size standard, in this final rule, SBA identifies the following four possible impacts from changing the averaging period for employees from 12 months to 24 months:

i. The number of mid-size businesses that have exceeded the size standard and would regain small business status in at least one NAICS industry with an employee-based size standard (*i.e.,* 12-month average > size standard ≥ 24-month average)—expansive impact.

ii. The number of advanced small businesses within 10% below the size standard that would have their small business status extended for a longer period in at least one NAICS industry with an employee-based standard (24-month average < 12-month average ≤ size standard *and* 0.9*size standard < 12-month average ≤ size standard)—expansive impact.

iii. The number of currently small businesses that would lose their small business status in at least one NAICS industry subjected to an employee-based size standard (*i.e.,* 12-month average ≤ size standard < 24-month average)—contractive impact.

iv. The number of advanced small businesses within 10% below the size standard that would have their small status shortened in at least one NAICS industry subject to an employee-based standard (12-month average < 24-month average ≤ size standard *and* 0.9*size standard < 12-month average ≤ size standard)—contractive impact.

In this final rule, SBA is changing the period for calculation of average employees for all of its employee-based size standards from 12 months to 24 months. The purpose of Public Law 116–283 is to allow small businesses more time to grow and develop competitiveness and infrastructure so that they are better prepared to succeed under full and open competition once they outgrow the size threshold. However, as stated previously, a longer 24-month averaging period may not always and necessarily provide relief to every small business concern. As discussed previously, when monthly employees are declining, the 24-month average would be higher than the 12-month average, thereby ejecting some advanced small businesses out of their small business status sooner or rendering some small businesses under the 12-month average not small immediately.

As discussed earlier, the change in the averaging period for employees from 12 months to 24 months results in four different types of impacts on small businesses: (i) Enabling current large or mid-size businesses to gain small business status (impact i); (ii) Enabling current advanced small businesses to lengthen their small business status (impact ii); (iii) Causing current small businesses to lose their small business status (impact iii); and (iv) Causing current small businesses to shorten their small business status (impact iv). Table 5, ''Percentage Distribution of Impacted Firms with Employee-Based Size Standards by the Number of NAICS Codes,'' provides these results based on the 2019 SAM—2018 SAM matched firms.

It is highly notable that the distribution of impacted firms by the number of NAICS codes, as shown in Table 5, is very different as compared to a similar distribution based on the overall matched and total 2019 SAM data (*see* Table 2), especially with respect to firms with only one NAICS code and those with more than five NAICS codes. For example, about 45% of all firms in the overall data were associated with only one NAICS code, as compared only about 20% among impacted firms. Similarly, firms with more than five NAICS codes accounted for about 13–14% of all firms in the original data, as compared to 30–40% among impacted firms. It is also notable

that, among the industries with employee-based size standard, NAICS Sector 31–33 (Manufacturing) and Sector 42 (Wholesale Trade) together accounted for about 90% of impacted firms (in terms of both contractive and expansive impacts), with Sector 31–33 accounting for about 65% and Sector 42 about 25%.

TABLE 5—PERCENTAGE DISTRIBUTION OF IMPACTED FIRMS WITH EMPLOYEE-BASED SIZE STANDARDS BY THE NUMBER OF NAICS CODES

Impact *	Number of impacted firms	% Distribution of impacted firms by number of NAICS codes				
		1 NAICS code	2–5 NAICS codes	6–10 NAICS codes	>10 NAICS codes	Total
Currently small in all NAICS codes						
Impact (ii)	195	33.3	47.2	10.3	9.2	100
Impact (iii)	178	33.1	44.4	15.7	6.7	100
Impact (iv)	66	19.7	47.0	13.6	19.7	100
Currently large business in all NAICS codes						
Impact (i)	188	39.9	44.1	11.2	4.8	100
Currently small in some NAICS and not small in others						
Impact (i)	182	0	34.1	31.9	34.1	100
Impact (ii)	130	0	36.2	32.3	31.5	100
Impact (iii)	42	0	40.5	40.5	19.0	100
Impact (iv)	20	0	50	15	35	100
Total Impact by Impact Type						
Impact (i)	370	20.3	39.2	21.4	19.2	100
Impact (ii)	325	20.0	42.8	19.1	18.2	100
Impact (iii)	220	18.2	29.5	13.8	6.2	100
Impact (iv)	86	15.1	47.7	14.0	23.3	100
Overall Impact						
Expansive	689	20.3	40.8	20.2	18.7	100
Contractive	306	23.5	44.8	18.6	13.1	100
Total	995	21.3	42.0	19.7	17.0	100

* Impact (i) = Current large businesses gaining small status; Impact (ii) = Current small businesses extending small status; Impact (iii) = Current small businesses losing small status; Impact (iv) = Current small businesses shortening small status.

Each of these impacts was then multiplied by an applicable factor or ratio, as shown in the last column of Table 1, to obtain the respective impacts corresponding to all firms in 2019 SAM subject to at least one employee-based size standard. These results are presented below in Table 6, ''Impacts from Changing the Averaging Period for Employees from 12 Months to 24 Months.'' The last column of the table shows the percentages of firms impacted relative to all business concerns in 2019 SAM. Because the SAM data only captures businesses that are primarily interested in federal procurement opportunities, the SAM-based results do not fully capture the impacts the change may have on businesses participating in various non-procurement programs that apply to SBA's employee-based size standards, such as SBA loan programs and exemptions from compliance with paperwork and other regulatory requirements.

The Economic Census, combined with the Census of Agriculture and County Business Patterns Reports, provides for each NAICS code information on the number of total small and large businesses subjected to an employee-based size standard. Based on the matched SAM data, SBA computed percentages of businesses impacted under each impact category for each NAICS industry subject to an employee-based size standard. By applying such percentages to the 2012 Economic Census tabulation (the latest available when this rule was developed), SBA estimated the number of all businesses impacted under each impact type for each NAICS code subject to an employee-based size standard. These results are presented in Table 7, ''Impacts from Changing the Averaging Period for Employees from 12 Months to 24 Months (2012 Economic Census).''

TABLE 6—IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS

Impact [1]	Firms impacted in matched dataset	Total to matched ratio	Total firms impacted in 2019 SAM	Total firms in 2019 SAM	% Impacted
Entities only small under all NAICS code(s)					
Impact (ii)	195	1.210	236	131,295	0.2
Impact (iii)	178	1.210	215	131,295	0.2

TABLE 6—IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS—Continued

Impact [1]	Firms impacted in matched dataset	Total to matched ratio	Total firms impacted in 2019 SAM	Total firms in 2019 SAM	% Impacted
Impact (iv)	66	1.210	80	131,295	0.1
Entities other than small under all NAICS code(s)					
Impact (i)	188	1.055	198	18,492	1.1
Entities small in some NAICS code(s) and other than small in other(s)					
Impact (i)	182	1.054	192	2,663	7.2
Impact (ii)	130	1.054	137	2,663	5.1
Impact (iii)	42	1.054	44	2,663	1.7
Impact (iv)	20	1.054	21	2,663	0.8
Total impact by impact type					
Impact (i)	370		390	21,155	1.8
Impact (ii)	325		373	133,958	0.3
Impact (iii)	220		260	133,958	0.2
Impact (iv)	86		101	133,958	0.1
Overall total by expansive or contractive impact [2]					
Expansive *[impact (i) or impact (ii)]*	689	1.098	757	152,450	0.5
Contractive *[impact (iii) or impact (iv)]*	306	1.178	361	152,450	0.2
Total impact	995		1,117	152,450	0.7

[1] Impact (i) = Current large businesses gaining small business status; Impact (ii) = Current small businesses extending small status; Impact (iii) = Current small businesses losing small status; Impact (iv) = Current small businesses shortening small status.

[2] Number of firms under overall positive, negative and total impacts refer to the number of unique firms. Some firms could appear in multiple impact types and hence individual impacts may not add up to overall impact.

TABLE 7—IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS

[2012 Economic Census]

Impact [1]	Total firms (in millions)	Estimate of impacted firms	% Impacted
Impact (i)	22,324	281	1.3
Impact (ii)	657,942	1,203	0.2
Impact (iii)	657,942	763	0.1
Impact (iv)	657,942	287	0.04
Overall impact			
Expansive *[impact (i) or impact (ii)]*	680,266	1,484	0.2
Contractive *[impact (iii) or impact (iv)]*	657,942	1,050	0.2
Total impact	680,266	2,534	0.4

[1] Impact (i) = Current large businesses gaining small status; Impact (ii) = Current small businesses extending small status; Impact (iii) = Current small businesses losing small status; Impact (iv) = Current small businesses shortening small status.

Currently large or mid-size businesses regaining small business status would become eligible for various benefits as small business concerns, including access to federal set-aside contracts, SBA's guaranteed loans and disaster assistance, reduced patent fees, and exemptions from various compliance and paperwork requirements. With their small business status extended, advanced small businesses would continue to receive such benefits for a longer period. However, the change may also cause some small businesses to lose their small business status in at least one employee-based size standard and access to small business assistance, especially federal set-aside opportunities.

2. Impacts on Businesses From Changing the Averaging Period for Receipts From Three Years to Five Years

By comparing the approximated five-year annual receipts average with the current receipts-based size standard for each of the 192,295 matched business concerns in each NAICS code subject to a receipts-based size standard, in this final rule, SBA identifies the following four possible impacts from changing the averaging period for annual receipts from three years to five years:

i. The number of mid-size businesses that have exceeded the size standard and would regain small business status in at least one NAICS industry with a receipts-based size standard (*i.e.,* 3-year

average > size standard ≥ 5-year average)—expansive impact.

ii. The number of advanced small businesses within 10% below the size standard that would have their small business status extended for a longer period in at least one NAICS industry with a receipts-based standard (5-year average < 3-year average ≤ size standard *and* 0.9*size standard < 3-year average ≤ size standard)—expansive impact.

iii. The number of currently small businesses that would lose their small business status in at least one NAICS industry subjected to a receipts-based size standard (*i.e.,* 3-year average ≤ size standard < 5-year average)—contractive impact.

iv. The number of advanced small businesses within 10% below the size standard that would have their small business status shortened in at least one NAICS industry subject to a receipts-based standard (3-year average < 5-year average ≤ size standard *and* 0.9*size standard < 3-year average ≤ size standard)—contractive impact.

In this final rule, SBA is changing the period for calculation of average annual receipts for SBA receipts-based size standards for Business Loan, Disaster Loan, SBG, and SBIC Programs from three years to five years. The purpose of Public Law 115–324 is to allow small businesses more time to grow and develop competitiveness and infrastructure so that they are better prepared to succeed under full and open competition once they outgrow the size threshold. However, a longer five-year averaging period may not always and necessarily provide relief to every small business concern. As discussed in the June 2019 proposed rule, when annual revenues are declining or when annual revenues for the latest three years are lower than those for the earliest two years of the five-year period, the five-year average would be higher than the three-year average, thereby ejecting some advanced small businesses out of their small business status sooner or rendering some small businesses under the three-year average not small immediately.

There are four different types of impacts on small businesses from changes to the averaging period for annual receipts from three years to five years as follows: (i) Enabling current large or mid-size businesses to gain small business status (impact i); (ii) Enabling current advanced small businesses to lengthen their small business status (impact ii); (iii) Causing current small businesses to lose their small business status (impact iii); and (iv) Causing current small businesses to shorten their small business status (impact iv).

However, with the SBA's decision to permit businesses in the Business Loan, Disaster Loan, SBG, and SBIC programs to use either a three-year average or a five-year average for calculating average annual receipts for the purposes of qualifying as a small business, the two contractive impacts (namely impact (iii) and impact (iv)) do not apply to this final rule. Accordingly, this final rule provides the analysis of the two expansive impacts of changing the averaging periods for annual receipts from three years to five years (namely impact (i) and impact (ii)) only.

Table 8, ''Percentage Distribution of Impacted Firms with Receipts-Based Size Standards by the Number of NAICS Codes,'' provides these results based on the 2019 SAM–2016 SAM matched firms.

TABLE 8—PERCENTAGE DISTRIBUTION OF IMPACTED FIRMS WITH RECEIPTS-BASED SIZE STANDARDS BY THE NUMBER OF NAICS CODES

Impact*	Number of impacted firms	% Distribution of impacted firms by number of NAICS codes				
		1 NAICS code	2–5 NAICS codes	6–10 NAICS codes	>10 NAICS codes	Total
Currently large in all NAICS codes						
Impact (i)	899	36.3	33.9	12.6	17.2	100.0
Currently small in all NAICS codes						
Impact (ii)	1,227	27.3	36.3	17.8	18.6	100.0
Currently small in some NAICS and not small in others						
Impact (i)	1,761	0	27.4	22.7	50.0	100.0
Impact (ii)	1,072	0	27.8	24.3	47.9	100.0
Total Impact by Impact Type						
Impact (i)	2,660	12.3	29.6	19.2	38.9	100.0
Impact (ii)	2,299	14.6	32.3	20.8	32.3	100.0
Total expansive impact	4,702	14.1	31.8	20.2	34.0	100.0

*Impact (i) = Current large businesses gaining small business status; and Impact (ii) = Current small businesses extending small business status.

It is highly notable that the distribution of impacted firms by the number of NAICS codes, as shown in Table 8, is very different as compared to a similar distribution based on the overall matched and total 2019 SAM data (*see* Table 4), especially with respect to firms with only one NAICS code and those with more than five NAICS codes. For example, as shown in Table 4, above, more than 40% of all firms in the overall data were associated with only one NAICS code, as compared to less than 15% among impacted firms in Table 8. Similarly, firms with more than five NAICS codes accounted for about 20% of all firms in the original data, as compared to more than 50% among impacted firms. It is also notable that, among the industries with receipts-based size standards, NAICS Sectors 54, 56, and 23 together accounted for more than 70% of impacted firms, with Sector 54 (Professional, Scientific and Technical Services) accounting for about 30–35%, followed by Sector 23 (Construction) about 25–30%, and

Sector 56 (Administrative and Support, Waste Management and Remediation Services) about 10–13%.

Each of these impacts was then multiplied by an applicable factor or ratio, as shown in the last column of Table 3, to obtain the respective impacts corresponding to all firms in 2019 SAM subject to at least one receipts-based size standard. These results are presented below in Table 9, ''Impacts from Changing the Averaging Period for Receipts from 3 Years to 5 Years.'' The last column of the table shows the percentage of firms impacted relative to all business concerns in 2019 SAM.

Because the SAM data only captures businesses that are primarily interested in federal procurement opportunities, the SAM-based results do not fully capture the impacts the change may have on businesses participating in various non-procurement programs that apply SBA's receipts-based size standards, such as exemptions from compliance with paperwork and other regulatory requirements.

TABLE 9—IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR RECEIPTS FROM 3 YEARS TO 5 YEARS

Impact [1]	Firms impacted in matched dataset	Total to matched ratio (Table 1)	Total firms impacted in 2019 SAM	Total firms in 2019 SAM	% Impacted
Entities other than small under all NAICS code(s)					
Impact (i)	899	1.32	1,189	42,536	2.8
Entities small under all NAICS code(s)					
Impact (ii)	1,227	1.859	2,281	282,671	0.8
Entities small in some NAICS code(s) and other than small in other(s)					
Impact (i)	1,761	1.211	2,132	9,783	21.8
Impact (ii)	1,072	1.211	1,298	9,783	13.3
Total expansive impact by impact type					
Impact (i)	2,660	.....	3,320	52,319	6.3
Impact (ii)	2,299	–	3,579	292,454	1.2
Overall total expansive impact [2]	4,702	1.391	6,542	334,990	2.0

[1] Impact (i) = Current large businesses gaining small business status; and Impact (ii) = Current small businesses extending small business status.

[2] Number of firms under total positive impacts refer to the number of unique firms. Some firms could appear in both impact types and hence individual impacts may not add up to overall impact.

The Economic Census, combined with the Census of Agriculture and County Business Patterns Reports, provides for each NAICS code information on the number of total small and large businesses subjected to a receipts-based size standard. Based on the matched SAM data, SBA computed percentages of businesses impacted under each impact category for each NAICS industry subject to a receipts-based size standard. By applying such percentages to the 2012 Economic Census tabulation, SBA estimated the number of all businesses impacted under each impact type for each NAICS code subject to a receipts-based size standard. These results are presented in Table 10, ''Impacts from Changing the Averaging Period for Receipts from 3 Years to 5 Years (2012 Economic Census).''

TABLE 10—IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR RECEIPTS FROM 3 YEARS TO 5 YEARS

[2012 Economic Census]

Impact [1]	Total firms	Estimate of impacted firms	% Impacted
Impact (i)	271,505	8,565	3.2
Impact (ii)	6,896,633	60,176	0.9
Overall expansive impact	7,168,138	68,742	1.0

[1] Impact (i) = Current large businesses gaining small business status; and Impact (ii) = Current small businesses extending small business status.

Currently large or mid-size businesses regaining small business status would get various benefits as small business concerns, including access to SBA loan programs, and exemptions from various compliance and paperwork requirements. With their small business status extended, advanced small businesses would continue to receive such benefits for a longer period. However, the change from three-year average receipts to five-year average may also harm some small businesses by causing them to lose or shorten their small business status in at least one receipts-based size standard, thereby depriving them of access to small business assistance, including SBA's lending. To mitigate such impacts, SBA is allowing businesses to elect either the three-year average annual receipts or the five-year average annual receipts for the Business Loan, Disaster Loan, and SBIC programs. SBA sought comment on

implementation of Public Law 115–324 for the Business Loan, Disaster Loan, and SBIC programs.

C. The Baseline

1. Baseline for Changing the Averaging Period for Employees From 12 Months to 24 Months

In this rulemaking, SBA establishes an appropriate baseline to evaluate benefits, costs, or transfer impacts of this action and alternative approaches considered, if any. A baseline should represent the agency's best assessment of what the world would look like absent the regulatory action. For a new regulatory action modifying an existing regulation (such as changing the calculation of the average number of employees from 12 months to 24 months), a baseline assuming no change to the regulation (*i.e.,* maintaining the status quo) generally provides an appropriate benchmark for evaluating benefits, costs, or transfer impacts of proposed regulatory changes and their alternatives.

Based on the 2012 Economic Census special tabulations (the latest available) and 2012 County Business Patterns Reports (for industries not covered by the Economic Census), of a total of about 680,266 firms in all industries with employee-based size standards, about 96.7% were considered small and 3.3% other than small under the 12-month employee average. Similarly, of 152,450 businesses that were subject to at least one employee-based size standard and eligible for federal contracting, 87.9% were small in at least one NAICS code and 12.1% other than small in all NAICS codes with an employee-based size standard.

Based on the data from the Federal Procurement Data System—Next Generation (FPDS–NG) for fiscal year 2019, on average, about 39,714 unique firms in industries subject to employee-based size standards received at least one federal contract during 2019, of which 85.3% were small. Businesses subject to employee-based size standards received $232.6 billion in annual average federal contract dollars in 2019, of which nearly $47 billion or about 20.2% went to small businesses. Of total dollars awarded to small businesses subject to employee-based size standards, $23.8 billion or 50.6% was awarded through various small business set-aside programs and 49.4% was awarded through non-set aside contracts.

Based on SBA's internal data on its loan programs, small businesses subject to employee-based size standards received, on an annual basis, a total of 7,672 7(a) and 504 loans during fiscal years 2018–2020, totaling $4.9 billion, of which 75% was issued through the 7(a) program and 25% was issued through the CDC/504 program. During fiscal years 2018–2020, small businesses in those industries also received about 370 loans through the SBA's EIDL loan program, totaling about $0.02 billion on an annual basis. Table 11, ''Baseline Analysis of Employee-Based Size Standards,'' provides these baseline results.

Based on SBA's internal data on its SBGProgram for fiscal years 2018–2020, small businesses subject to employee-based size standards received, on an annual basis, a total of 52 surety bonds guaranteed by SBA, which supported about $41 million in contracts. Surety Bonds to firms with employee-based size standards account for only about 1% of overall program activity.

Based on SBA's internal data on its SBIC program for fiscal years 2018–2020, on an annual basis, 375 small businesses subject to employee-based size standards received SBIC financing, resulting in $1.8 billion in capital to those small firms. SBIC financing to firms with employee-based size standards account for about 34% of overall program activity.

Besides set-aside contracting and financial assistance discussed above, small businesses also benefit through reduced fees, less paperwork, and fewer compliance requirements that are available to small businesses through federal agencies that use SBA's size standards. However, SBA has no data to estimate the number of small businesses receiving such benefits.

TABLE 11—BASELINE ANALYSIS OF EMPLOYEE-BASED SIZE STANDARDS

Measure	Value
Total industries subject to employee-based size standards	500
Total firms subject to at least one employee-based size standard (million)—2012 Economic Census	680,266
Total small firms subject to at least one employee-based size standard (million)—2012 Economic Census	657,942
Total small firms subject to at least one employee-based size standard as % of total firms—2012 Economic Census	96.7
Total business concerns in SAM [1] (as of September 1, 2019)	403,116
Total business concerns subject to an employee-based size standard in at least one NAICS code [2] (2019 SAM)	152,450
Total businesses that are small in at least one NAICS code subject to an employee-based size standard (2019 SAM)	133,958
Small business concerns as % of total business concerns subject to employee-based standards (2019 SAM)	87.9
Average total number of unique eligible vendors getting federal contracts [1]—FPDS–NG (2019)	106,230
Average total number of unique firms with employee-based size standards getting federal contracts [2]—FPDS–NG (2019)	39,714
Average total contract dollars awarded to business concerns, subject to employee-based standards ($ billion)—FPDS–NG (2019)	$233.6
Average total small business contract dollars awarded to businesses subject to employee-based standards ($ billion)—FPDS–NG (2019)	$47.1
Small business dollars as % of total dollars awarded to firms subject to employee-based standards (FPDS–NG (2019)	20.2
Annual average number of 7(a) and 504 loans to businesses subject to employee-based standards (FY 2018–2020)	7,672
Annual average amount of 7(a) and 504 loans ($ billion) (FY 2018–2020)	$4.9
Number of EIDL loans to businesses subject to employee-based size standards (FY 2018–2020) [3]	369
Amount of EIDL loans ($ billion) (FY 2018–2020) [3]	$0.02
Number of surety bonds to firms subject to employee-based size standards (FY 2018–2020)	52
Total value of contracts supported ($ billion) (FY 2018–2020)	$0.04
Number of firms subject to employee-based size standards receiving SBIC financing (FY 2018–2020)	375
Total value of SBIC financing ($ billion) (FY 2018–2020)	$1.8

[1] Entities in SAM and FPDS–NG presented above only include business concerns that can be eligible to qualify as small for federal contracting. That is, entities that can never qualify as small (*e.g.,* foreign, not-for-profit and government entities) are excluded as they are not impacted by this rule.

[2] A business concern could appear in multiple NAICS industries involving both employee-based and size standards and those based on other measures (such as employees). Similarly, a business could be small in some industries and other than small in others.

[3] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

As mentioned previously, businesses that would regain or lose small business status can be identified by comparing their 24-month employee average with the employee-based size standard. That is, if the 24-month employee average of a firm currently above the size standard is lower than the applicable employee-based size standard, that firm will gain or regain small business status. Similarly, if the 24-month employee average of a currently small business is higher than the size standard, that business will lose its small business status. However, to estimate the number of small businesses that would benefit by having their small business status extended for a longer period or would be penalized by having their small size status shortened, SBA considered small businesses whose 12-month employee average was within 10% below their employee-based size thresholds. Small businesses that are not immediately impacted may be impacted either negatively or positively someday as they continue to grow and approach the size standard threshold.

2. Baseline for Changing the Averaging Period for Receipts From Three Years to Five Years

For this new regulatory action modifying an existing regulation (such as changing the average annual receipts calculation from three years to five years), a baseline assuming no change to the regulation (*i.e.,* maintaining the status quo) generally provides an appropriate benchmark for evaluating benefits, costs, or transfer impacts of proposed regulatory changes and their alternatives.

Based on the 2012 Economic Census special tabulations (the latest available), 2012 County Business Patterns Reports (for industries not covered by the Economic Census), and 2012 Agricultural Census tabulations (for agricultural industries), of a total of about 7.2 million firms in all industries with receipts-based size standards, about 96% are considered small and 4% other-than-small under the three-year annual receipts average. Similarly, of 334,990 businesses in SAM 2019 that were subject to at least one receipts-based size standard and eligible to qualify as small business concerns, 87.3% were small in at least one NAICS code and 12.7% other than small in all NAICS codes.

Based on SBA's internal data on its loan programs, small businesses subject to receipts-based size standards received, on an annual basis, a total of about 50,150 7(a) and 504 loans for fiscal years 2018–2020, totaling nearly $24 billion, of which 85% was issued through the 7(a) program and 15% was issued through the CDC/504 program. During fiscal years 2018–2020, small businesses in those industries also received about 3,534 loans through the SBA's EIDL program, totaling about $0.1 billion on an annual basis.

Besides financial assistance discussed above, small businesses also benefit through reduced fees, less paperwork, and fewer compliance requirements that are available to small businesses through federal agencies that use SBA's size standards. However, SBA has no data to estimate the number of small businesses receiving such benefits. Similarly, due to the lack of data, SBA is not able to determine impacts the final rule are subject to their own size standards based on average annual receipts.

Based on SBA's internal data on its SBG Program for fiscal years 2018–2020, small businesses subject to receipt-based size standards received, on an annual basis, a total of 10,433 surety bonds guaranteed by SBA which supported $6.7 billion in contracts. Over 95% of surety bond activity, in terms of the value of contracts supported, occurs under Sector 23 (Construction).

Based on SBA's internal data on SBIC program for fiscal years 2018–2020, on an annual basis, 724 small businesses subject to receipts-based size standards received SBIC financing, resulting in $3.4 billion in capital to those small firms. Table 12, ''Baseline Analysis of Receipts-Based Size Standards,'' below, provides these baseline results.

TABLE 12—BASELINE ANALYSIS OF RECEIPTS-BASED SIZE STANDARDS

Measure	Value
Total industries subject to receipts-based standards	518
Total firms subject to at least one receipts-based standard (million)—2012 Economic Census	7.17
Total small firms subject to at least one receipts-based standard (million)—2012 Economic Census	6.9
Total small firms subject to at least one receipts-based standard as % of total firms—2012 Economic Census	96.2
Total business concerns in SAM [1] (as of September 1, 2019)	403,116
Total business concerns subject to a receipts-based size standard in at least one NAICS code [2] (2019 SAM)	334,990
Total businesses that are small in at least one NAICS code subject to a receipts-based size standard (2019 SAM)	292,454
Small business concerns as % of total business concerns subject to receipts-based standards (2019 SAM)	87.3
Annual average number of 7(a) and 504 loans to businesses subject to receipts-based standards (FY 2018–2020)	50,153
Annual average amount of 7(a) and 504 loans ($ billion) (FY 2018–2020)	$23.9
Number of EIDL loans to businesses subject to receipts-based size standards (FY 2018–2020) [3]	3,534
Amount of EIDL loans ($ billion) (FY 2018–2020) [3]	$0.1
Number of surety bonds to firms subject to receipts-based size standards (FY 2018–2020)	10,433
Total value of contracts supported ($ billion) (FY 2018–2020)	$6.7
Number of firms subject to receipts-based size standards receiving SBIC financing (FY 2018–2020)	724
Total value of SBIC financing ($ billion) (FY 2018–2020)	$3.4

[1] Entities in SAM presented above only include business concerns that can be eligible to qualify as small for federal assistance. That is, entities that can never qualify as small (*e.g.,* foreign, not-for-profit and government entities) are excluded as they are not impacted by this rule.

[2] A business concern could appear in multiple NAICS industries involving both receipts-based size standards and those based on other measures (such as employees). Similarly, a business could be small in some industries and other-than-small in others.

[3] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

Businesses that would regain or expand their small business status can be identified by comparing the estimate of their five-year receipts average with the size standard. That is, if the five-year receipts average of a firm currently above the size standard is lower than the applicable size standard, that firm will gain or regain small business status. To estimate the number of small businesses that would benefit by having their small business status extended for a longer period or would be penalized by having their small business status shortened, SBA considered small

businesses whose three-year average annual receipts was within ten percent below their receipts-based size thresholds. Depending upon whether their annual receipts are growing or declining, small businesses that are not immediately impacted may be impacted, either positively (*i.e.,* gaining small business status) or negatively (*i.e.,* losing small business status) someday as they continue to grow and approach the size standard threshold as in the current three-year averaging method. However, SBA is not able to quantify such impacts now.

D. Expansions in Small Business Size Status

1. *Expansive Effects of Changing the Averaging Period for Employees From 12 Months to 24 Months*

The most significant expansive effects to businesses from the change in the averaging period for calculation of the number of employees for size standards from 12 months to 24 months include: (i) Enabling some mid-size businesses currently categorized above their corresponding size standards to gain or regain small business size status and thereby qualify for participation in federal assistance intended for small businesses, and (ii) Allowing some advanced and larger small businesses close to their size thresholds to lengthen their small business status for a longer period and thereby continue their participation in federal small business programs. These programs include SBA's Business and Disaster Loan Programs, SBG and SBIC Programs, and Federal Procurement Programs intended for small businesses. Federal Procurement Programs provide targeted, set-aside opportunities for small businesses under SBA's various business development and contracting programs, including 8(a) Business Development (BD), HUBZone, Women-Owned Small Business (WOSB), Economically Disadvantaged Women-Owned Small Business (EDWOSB), and Service-Disabled Veteran-Owned Small Business (SDVOSB) programs. Expansive effects accruing to businesses gaining and extending small status are presented below in Table 13, ''Expansive Impacts of Changing the Averaging Period for Employees from 12 Months to 24 Months.'' The results in Table 13 pertain to businesses and industries subject to employee-based size standards only.

As shown in Table 13, of 21,155 firms not currently considered small in any employee-based size standards, 390 (or 1.8%) would benefit from the change by gaining or regaining small status under the 24-month employee average in at least one NAICS industry that is subject to an employee-based size standard. Additionally, 373 or 0.3% of small businesses within 10% below size standards would see their average number of employees decrease under the 24-month averaging period, consequently enabling them to keep their size status for a longer period.

Using the 2012 Economic Census, SBA estimated that about 280 or 1.3% of currently large businesses would gain or regain small status and about 1,200 or 0.2% of total small businesses would see their small business status extended for a longer period as the result of the change in the calculation of employees. These results are shown in Table 13, below.

With more businesses qualifying as small under the change in the calculation of employees, federal agencies will have a larger pool of small businesses from which to draw for their small business procurement programs. Growing small businesses that are close to exceeding the current employee-based size standards will be able to retain their small business status for a longer period under the 24-month employee average, thereby enabling them to continue to benefit from the small business programs.

TABLE 13—EXPANSIVE IMPACTS OF CHANGING AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS

Impact of the change	Large firms gaining small status	Small firms extending small status	Total expansive impact
Number of impacted industries	196	184	[1] 260
Number of large firms becoming small or/and small firms extending small status—SAM (as of Sept 1, 2019)	390	373	[2] 757
Large firms becoming small or/and small firms with extended small status as % of total large or/and small firms in the baseline—SAM (as of Sept 1, 2019)	1.8	0.3	0.5
Number of large firms becoming small or/and small firms extending small status—2012 Economic Census	281	1,203	1,484
Large firms becoming small or/and small firms extending small status as % of total large or/and small firms in the baseline—2012 Economic Census	1.3	0.2	0.2
Number of large firms becoming small or/and small firms extending small status for small business contracts—FPDS–NG (2019)	139	83	219
Additional small business dollars available to newly qualified firms or/and current small firms with extended small status ($ million)—FPDS–NG (2019)	332.7	90.5	423.2
Additional small business dollars as % total small business contract dollars in the baseline FPDS–NG (2019)	0.7	0.2	0.9
Number of additional 7(a) and 504 loans to newly qualified firms or/and current small firms extending small status (FY 2018–2020)	1	1	2
Additional 7(a) and 504 loan amount to newly qualified firms or/and current small firms extending small status ($ million) (FY 2018–2020)	0.01	0.02	0.03
Additional 7(a) and 504 loan amount as % of total 7(a) and 504 loan amount in the baseline (FY 2018–2020)	0.0	0.0	0.01
Number of additional EIDL loans to newly qualified firms or/and small firms extending small status [3] (FY 2018–2020)	0	0	0
Additional EIDL loan amount to newly qualified firms or/and small firms with extended small status ($ million) [3] (FY 2018–2020)	0	0	0
Additional EIDL loan amount as % of total loan amount in the baseline [3] (FY 2018–2020)	0	0	0

[1] Total impact represents total unique industries impacted to avoid double counting as some industries have large firms gaining small status and small firms extending small status.

[2] Total impact represents total unique firms impacted to avoid double counting as some firms may gain small business status in at least one NAICS code, while extending small business status in at least one other NAICS code.

[3] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

Based on the FPDS–NG data for fiscal year 2019, as shown in Table 13, SBA estimates that those newly-qualified small businesses (*i.e.,* large businesses gaining small status) under the final rule could receive about $333 million in small business contract dollars annually under SBA's small business, 8(a) BD, HUBZone, WOSB, EDWOSB, and SDVOSB programs. That represents a 0.7% increase to total small business contract dollars from the baseline in Table 11, above. Additionally, small businesses could receive approximately $90 million in additional small business contract dollars because of extension of their small business status, which is about a 0.2% increase from the total small business contract dollars in the baseline. That is, businesses gaining or extending small business status could receive about $423 million in additional small business contract dollars, which is a 0.9% increase to the total small business dollars in the baseline.

Under SBA's 7(a) and 504 loan programs, based on the data for fiscal years 2018–2020, SBA estimates up to about one SBA 7(a) or 504 loans totaling nearly $0.01 million could be made to these newly-qualified small businesses under the change in this final rule. Additionally, small businesses could receive one SBA 7(a) or 504 loans totaling nearly $0.02 million due to the extension of their size status. These amounts represent a 0.001% increase to the 7(a) and 504 loan amount in the baseline.

Newly-qualified small businesses and those with extended small business status under the 24-month averaging period may also benefit from the SBA's EIDL loan program. However, since the benefit provided through this program is contingent on the occurrence and severity of a disaster in the future, SBA cannot make a meaningful estimate of this impact. Based on the historical trends of the SBA's EIDL loan data which shows that firms receiving loans under employee-based size standards are well below the industry size thresholds, SBA estimates that newly-defined small businesses and small businesses extending small business status for a longer period would not receive any additional EIDL loans under the change adopted in this final rule.

SBA also assessed the impacts of the changes in the SBG Program. SBA estimates that the changes to the averaging period for employees will have no impacts on the program as most surety bonds guaranteed by SBA go to firms much smaller than their respective employee-based size standards or to firms operating under a receipts-based size standard. These firms would continue to be eligible for SBA surety bonds after adoption of the change to the averaging period for employee-based size standards in this final rule., Thus, SBA believes that changing the averaging period for employee-based size standards from 12 months to 24 months will have no impact on the SBG Program.

Additionally, SBA assessed the impacts of the changes in the SBIC Program. Similar to the distribution of firms under SBA's financial assistance programs discussed above, the majority of firms subject to employee-based size standards that receive capital through an SBIC are generally much smaller than their respective industry size standard. Based on internal data from fiscal years 2018–2020, SBA estimates that only about 10% of firms receiving SBIC financing are greater than 90% of their respective employee-based size standard. Moreover, only a small proportion (about 0.06%) of total small businesses subject to employee-based size standards that are eligible to participate in the SBIC program receive financing through an SBIC. Thus, based on these historical trends of the SBIC program, SBA believes that changing the averaging period for employee-based size standards from 12 months to 24 months will have no impact on the program as there are likely few firms with expansive impacts at the higher margin of their respective employee-based size standard that would participate in and receive funding through the SBIC program.

The added competition from more businesses qualifying as small may result in lower prices to the Federal Government for procurements set aside or reserved for small businesses, but SBA cannot quantify this impact. Costs could be higher when full and open contracts are awarded to HUBZone businesses that receive price evaluation preferences. However, with agencies likely setting aside more contracts for small businesses in response to a larger pool of small businesses under the change adopted in this final rule, HUBZone firms might end up getting more set-aside contracts and fewer full and open contracts, thereby resulting in some cost savings to federal agencies. SBA cannot estimate such costs savings, as it is impossible to determine the number and value of unrestricted contracts to be otherwise awarded to HUBZone firms that will be awarded as set-asides. However, such cost savings are likely to be relatively small as only a small fraction of full and open contracts are awarded to HUBZone businesses.

Additionally, the newly-defined small businesses, as well as those with a longer small business status, would also benefit from reduced fees, less paperwork, and fewer compliance requirements but SBA has no data to quantify this impact.

The change in the averaging period for employees from 12 months to 24 months will also address some of the challenges and uncertainties small businesses face in the open market once they graduate from their small business status. Small and mid-size businesses experience a considerable disadvantage in competing for full and open contracts against large businesses, including the largest in the industry. These large businesses often have several competitive advantages over small and mid-size firms, including vast past performance qualifications and experience, strong brand-name recognition, a plethora of professional certifications, security clearances, and greater financial and marketing resources. Small and mid-size businesses cannot afford to maintain these resources, leaving them at a considerable disadvantage.

With contracts getting bigger, one large set-aside contract could throw a firm out of its small business size status, thereby subjecting it to certain requirements that apply to other-than-small firms, such as developing subcontracting plans. That firm may not have the infrastructure, existing business processes, and/or other resources in place in order to comply with such requirements. This may also result in constant shuffling between small and other-than-small status.

By allowing smaller mid-size companies that have just exceeded the size threshold to regain small business status and advanced small businesses close to size standards to prolong their small business status for a longer period, this final rule can expand the pool of qualified small firms for agencies to draw upon to meet their small business requirements.

2. Expansive Effects of Changing the Averaging Period for Receipts From Three Years to Five Years

The most significant benefits to businesses from the change in the period for calculation of average annual receipts from three years to five years include: (i) Enabling some mid-size businesses currently categorized above their corresponding size standards to gain or regain small business status and thereby qualify for participation in federal assistance intended for small businesses, including access to SBA's financial assistance and (ii) Allowing some advanced and larger small businesses close to their size thresholds to lengthen their small business status for a longer period and thereby continue their participation in SBA's Business Loan, Disaster Loan, SBG, and SBIC Programs. Benefits accruing to businesses gaining and extending small business status are presented below in Table 14, ''Expansive Impacts of Changing the Averaging Period for Receipts from 3 Years to 5 Years.'' The results in Table 14 pertain to businesses and industries subject to SBA's receipts-based size standards only.

As shown in Table 14, of 42,536 firms not currently considered small in any receipts-based size standards, 3,320 (or 6.4%) would benefit from the change by gaining or regaining small business status under the five-year receipts average in at least one NAICS industry that is subject to a receipts-based size standard. Additionally, nearly 3,600 or 1.2% of small businesses within 10% below size standards would see their annual receipts decrease under the five-year averaging period, consequently enabling them to keep their small business status for a longer period.

Using the 2012 Economic Census, SBA estimated that more than 5,900 or 3.3% of currently large businesses would gain or regain small business status and more than 61,250 or 0.9% of total small businesses would see their small business status extended for a longer period as the result of this final rule. These results are shown in Table 14.

TABLE 14—EXPANSIVE IMPACTS OF CHANGING THE AVERAGING PERIOD FOR RECEIPTS FROM 3 YEARS TO 5 YEARS

Impact of change	Firms gaining small business status	Firms extending small business status	Total expansive impact
Number of impacted industries	377	382	[1] 447
Number of large firms becoming small or/and small firms extending small business status—SAM (as of Sept 1, 2019)	3,320	3,579	[2] 6,542
Large firms becoming small or/and small firms with extended small business status as % of total large or/and small firms in the baseline—SAM (as of Sept 1, 2019)	6.4	1.2	2.0
Number of large firms becoming small or/and small firms extending small business status—2012 Economic Census	5,938	61,263	67,201
Large firms becoming small or/and small firms extending small business status as % of total large or/and small firms in the baseline—2012 Economic Census	3.3	0.9	0.9
Number of additional 7(a) and 504 loans to newly qualified firms or/and current small firms extending small status (FY 2018–2020)	1	4	5
Additional 7(a) and 504 loan amount to newly qualified firms or/and current small firms extending small status ($ million) (FY 2018–2020)	$0.2	$1.9	$2.1
Additional 7(a) and 504 loan amount as % of total disaster loan amount in the baseline (FY 2018–2020)	0.0	0.0	0.01
Number of additional EIDL loans to newly qualified firms or/and small firms extending small status [3] (FY 2018–2020)	1	1	2
Additional EIDL loan amount to newly qualified firms or/and small firms with extended small status ($ million) [3] (FY 2018–2020)	$0.001	$0.003	$0.004
Additional EIDL loan amount as % of total loan amount in the baseline [3] (FY 2018–2020)	0.0	0.0	0.03

[1] Total impact represents total unique industries impacted to avoid double counting as some industries have large firms gaining small business status and small firms extending small business status.

[2] Total impact represents total unique firms impacted to avoid double counting as some firms may gain small business status in at least one NAICS code, while extending small business status in at least one other NAICS code.

[3] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

Growing small businesses that are close to exceeding the current size standards will be able to retain their small business status for a longer period under the five-year receipts average, thereby enabling them to continue to benefit from the small business programs.

Under SBA's 7(a) and 504 loan programs, based on the data for fiscal years 2018–2020, SBA estimates that one SBA 7(a) or 504 loans totaling $0.2 million could be made to these newly qualified small businesses under the change adopted in this final rule. Additionally, small businesses could receive up to four SBA 7(a) or 504 loans totaling $1.9 million due to the expansion of their size status. Together, these amounts represent a 0.01% increase to the loan amount in the baseline.

Newly-qualified small businesses and those with extended small business status will also benefit from the SBA's EIDL program. Since the benefit provided through this program is contingent on the occurrence and severity of a disaster in the future, SBA cannot make a meaningful estimate of this impact. However, based on the historical trends of the SBA EIDL loan data, SBA estimates that, on an annual basis, the newly-defined small businesses under the change could receive about one EIDL loan, totaling about $0.001 million. Similarly, extending small business status for a longer period could result in small businesses receiving one disaster loan, totaling about $0.003 million. These results are presented in Table 14, above.

SBA also assessed the impacts of the changes in the SBG Program. Based on internal data for fiscal years 2018–2020, SBA estimates that, on an annual basis, about two additional bonds supporting $0.6 million in contracts could be made to newly qualified small businesses subject to receipts-based size standards under the change. SBA believes that this

impact is *de minimis* as these figures represent an increase of less than 0.02% of the total number of bonds guaranteed by SBA and the total value of contracts supported on an annual basis as compared to the amounts in the baseline.

Additionally, SBA assessed the impacts of the changes in the SBIC Program. While the majority of firms subject to receipts-based size standards that receive capital through an SBIC are much smaller than their respective industry size standard, based on internal data from fiscal years 2018–2020, SBA estimates that about 42% of firms receiving SBIC financing are greater than 90% of their respective employee equivalent receipts-based size standard.[4] However, similar to the proportion of firms receiving capital from SBICs under employee-based size standards, only a small proportion (about 0.01%) of total small businesses subject to receipts-based size standards that are eligible to participate in the SBIC program receive financing through an SBIC. Based on these historical trends, SBA estimates that, under the change to the averaging period for receipts, on an annual basis, about three additional firms subject to receipts-based size standards could receive about $14 million in SBIC financing. SBA believes that this impact is *de minimis* as these figures represent an increase of less than 0.4% of total financings as compared to the amounts in the baseline. Additionally, the newly-defined small businesses, as well as those with a longer small business status, would also benefit from reduced fees, less paperwork, and fewer compliance requirements, but SBA has no data to quantify this impact.

E. Contractions in Eligibility for Small Business Status

1. Contractive Effects of Changing the Averaging Period for Employees From 12 Months to 24 Months

As stated previously, the change enacted under Public Law 116–283 may not always and necessarily benefit every small business concern. When businesses' monthly employees are declining or when the number of employees for the latest 12 months are lower than those for the earliest 12 months of the 24-month averaging period, the 24-month employee average would be higher than the 12-month average, thereby ejecting small businesses out of their small status sooner or rendering some small businesses other than small immediately. Such small businesses would no longer be eligible for federal small business opportunities, such as SBA's loans, federal small business contracts, and other federal assistance available to small businesses. These impacts are provided in Table 15, ''Contractive Impacts from Changing the Averaging Period for Employees from 12 Months to 24 Months,'' below.

TABLE 15—CONTRACTIVE IMPACTS FROM CHANGING THE AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS

Impact of the change	Small firms losing small status	Small firms shortening small status	Total contractive impact
Number of industries impacted	190	64	[1] 211
Number of small firms losing or/and shortening small status—SAM (as of Sept 1, 2019)	260	101	[2] 361
Small firms losing or shortening small status as % of total small firms—SAM (as of Sept 1, 2019)	0.2	0.08	0.3
Number of small firms losing or extending small status—2012 Economic Census	763	287	1,050
Small firms losing or shortening small status as % of total small firms in the baseline—2012 Economic Census	0.1	0.04	0.2
Number of small firms losing or shortening small business eligibility for set-aside contracts—FPDS–NG (2019)	178	20	197
Small business dollars unavailable to small firms losing or shortening small status ($ million)—FPDS–NG (2019)	$197.1	$68.7	$265.8
Small business dollars as % of total small business dollars in the baseline	0.42	0.15	0.56
Number of 7(a) and 504 loans unavailable to small firms losing or shortening small status (FY 2018–2020)	1	1	2
7(a) and 504 loan amount unavailable to small firms losing or shortening ($ million) (FY 2018–2020)	$0.01	$0.01	$0.02
Unavailable 7(a) and 504 loan amount as % of total loan amount in the baseline (baseline = $24.5 billion) (FY 2018–2020)	0.0	0.0	0.0
Number of EIDL loans unavailable to small firms losing or shortening small status [3] (FY 2018–2020)	0.0	0.0	0.0
Unavailable EIDL loan amount to small firms losing or extending small status ($ million) [3] (FY 2018–2020)	$0.0	$0.0	$0.0
Unavailable EIDL loan amount as % of total EIDL loan amount in the baseline (baseline = $1.0 billion) [3] (FY 2018–2020)	0.0	0.0	0.0

[1] Total impact represents total unique industries impacted to avoid double counting as some industries have small firms losing small status and small firms shortening small status.

[2] Total impact represents total unique firms impacted to avoid double counting as some firms may gain small business status in at least one NAICS code, while extending small business status in at least one other NAICS code.

[3] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

[4] Due to data limitations, SBA was not able to obtain revenue information for recipients of SBIC financing, however, data on total employees were available. Thus, SBA analyzed the distribution of firms by size using employee equivalent size standards.

As shown in Table 15, SBA estimates that, of 133,958 firms in 2019 SAM that were small under at least one employee-based size standard based on the 12-month employee average, 260 firms (or 0.2%) would lose their small status and another 100 firms (or 0.08%) would see their size status shortened as a result of the change adopted in this final rule. Similarly, based on the 2012 Economic Census data and 2012 Census of Agriculture, 763 firms would lose their small business status and 287 firms would see their size status shortened, which represent, respectively, 0.1% and 0.04% of total small firms subject to an employee-based size standard.

Based on the contract awards data from FPDS–NG for fiscal year 2019, businesses losing or shortening small status would lose access to about $266 million in federal small business contract collars, which is about a 0.6% decrease from the corresponding value in the baseline. Similarly, based on SBA's loan data for fiscal years 2018–2020 and the number of impacted firms from the Economic Census, SBA estimates that businesses losing or shortening small business status would also lose access to about $0.02 million in SBA 7(a) and 504 loans. Based on the historical trends of the SBA's EIDL loan data which shows that firms receiving loans under employee-based size standards are well below the industry size thresholds, SBA estimates that businesses losing or shortening small business status would not lose access to any additional EIDL loans under the change adopted in this final rule. Similarly, based on the historical trends of the SBA's SBG and SBIC Programs, which shows that the majority of firms participating in these programs are much smaller than their respective employee-based size standards, or operate under a receipts-based size standard, SBA estimates that businesses losing or shortening small business status under the employee-based size standards would not lose access to any additional surety bond guarantees or SBIC financing under the change adopted in this final rule.

Businesses losing small status and those with size status shortened would also be deprived of other federal benefits available, including reduced fees and exemptions from certain paperwork and compliance requirements. However, there exists no data to quantify this impact.

Additionally, by enabling mid-size businesses to regain small business status and lengthening the small business status of advanced and successful larger small businesses, the final rule may disadvantage smaller small businesses in more need of federal assistance than their larger counterparts in competing for federal opportunities. SBA frequently receives concerns from smaller small businesses that they lack resources, past performance qualifications and expertise to be able to compete against more resourceful, qualified and experienced large small businesses for federal opportunities for small businesses.

Besides having to register in SAM to be able to participate in federal contracting and update the SAM profile annually, small businesses incur no direct costs to gain or retain their small business status. All businesses willing to do business with the Federal Government have to register in SAM and update their SAM profiles annually, regardless of their size status. SBA believes that a vast majority of businesses that are willing to participate in federal contracting are already registered in SAM. Furthermore, this final rule does not establish the new size standards for the first time; rather, it merely proposes to modify the calculation of annual average receipts that apply to the existing size standards in accordance with a statutory requirement.

The change adopted in this final rule may entail some additional administrative costs to the Federal Government because more businesses may qualify as small for federal small business programs. For example, there will be more firms seeking SBA's loans; more firms eligible for enrollment in the Dynamic Small Business Search (DSBS) database or in *certify.sba.gov;* more firms seeking certification as 8(a)/BD or HUBZone firms or qualifying for small business, WOSB, EDWOSB, and SDVOSB status; and more firms applying for SBA's 8(a)/BD and Mentor-Protégé programs. With an expanded pool of small businesses, it is likely that federal agencies will set aside more contracts for small businesses under the change adopted in this final rule. One may surmise that this might result in a higher number of small business size protests and additional processing costs to agencies. However, the SBA's historical data on size protests actually show that the number of size protests actually decreased after an increase in the number of businesses qualifying as small as a result of size standards revisions as part of the first five-year review of size standards. Specifically, on an annual basis, the number of size protests dropped from about 600 during fiscal years 2011–2013 (review of most receipts-based size standards was completed by the end of fiscal year 2013) to less than 500 during fiscal years 2017–2019. However, with more months of the data to be reviewed, 24-month averaging may increase time needed by size specialists to process a size protest. Among those newly-defined small businesses seeking SBA's loans, there could be some additional costs associated with compliance and verification of their small business status. However, small business lenders have an option of using the tangible net worth and net income based alternative size standard instead of using the industry-based size standard to establish eligibility for SBA's loans. For these reasons, SBA believes that these added administrative costs will be minor because necessary mechanisms are already in place to handle these added requirements.

Additionally, some federal contracts may possibly have higher costs. With a greater number of businesses defined as small under this final rule, federal agencies may choose to set aside more contracts for competition among small businesses only instead of using full and open competition. The movement of contracts from unrestricted competition to small business set-aside contracts might result in competition among fewer total bidders, although there will be more small businesses eligible to submit offers under the change adopted in this final rule. However, the additional costs associated with fewer bidders are expected to be minor since, by law, procurements may be set aside for small businesses under the 8(a) BD, HUBZone, WOSB, EDWOSB, or SDVOSB programs only if awards are expected to be made at fair and reasonable prices.

Costs may also be higher when full and open contracts are awarded to HUBZone businesses that receive price evaluation preferences. However, with agencies likely setting aside more contracts for small businesses in response to the availability of a larger pool of small businesses under the change to the averaging period for employees from 12 months to 24 months, HUBZone firms might end up getting fewer full and open contracts, thereby resulting in some cost savings to agencies. However, such cost savings are likely to be minimal as only a small fraction of unrestricted contracts are awarded to HUBZone businesses.

2. Contractive Effects of Changing the Averaging Period for Receipts From Three Years to Five Years

As stated previously, the change enacted under Public Law 115–324 may not always and necessarily benefit every small business concern. When businesses' annual revenues are

declining or when annual revenues for the latest three years are lower than those for the earliest two years of the five-year period, the five-year average would be higher than the three-year average, thereby ejecting small businesses out of their small business status sooner or rendering some small businesses other than small immediately. Similarly, small businesses that lose their small business status would have to wait longer to qualify as small again. Such small businesses would no longer be eligible for federal small business opportunities, such as federal small business contracts, SBA loan programs and other Federal benefits (such as reduced fees and exemptions from certain paperwork and compliance requirements) available to small businesses. However, the SBA's proposal to allow businesses applying for its Business Loan, Disaster Loan, Surety Bond, and SBIC Programs to elect to use either the three-year receipts average or the five-year receipts average will mitigate such impacts. Moreover, the change in the averaging period for receipts in this final rule only applies to businesses in the SBA Business Loan, Disaster Loan, SBG, and SBIC Programs. In other words, the change in the calculation of average annual receipts in this final rule will have no impacts on businesses participating in federal procurement and all other non-procurement programs except SBA Loan, SBG, and SBIC programs.

By enabling mid-size businesses to regain small business status and lengthening the small business status of advanced and successful larger small businesses, the final rule may disadvantage smaller small businesses in more need of federal assistance than their larger counterparts in competing for federal opportunities. SBA frequently receives concerns from smaller small businesses that they lack resources, past performance qualifications and expertise to be able to compete against more resourceful, qualified, and experienced larger small businesses for federal opportunities for small businesses. SBA believes that overall benefits to small businesses from this final rule change outweigh the costs to small businesses.

F. Net Impact

1. Net Impact of Changing the Averaging Period for Employees From 12 Months to 24 Months

As discussed elsewhere, the change in averaging period for employees would result in four primary impacts, which can be categorized as either having an 'expansive impact' or a 'contractive impact' on size status of both currently large and small businesses. Allowing some currently large firms to gain or regain small business status and some advanced small firms to remain small for a longer period represents the expansive impact of the final rule. Causing some currently small firms to lose or shorten their small business is the rule's contractive impact.

Although businesses in a majority of industries with employee-based size standards would be both positively and negatively impacted by this final rule, in totality the number of firms with expansive impacts was generally greater than the number of firms with contractive impacts. The final rule would result in a net gain of about $158 million (or 0.3% increase from the baseline) in federal small business contract dollars. The net impact of the final rule on SBA's loans was also positive, but very small. Specifically, SBA estimates a net gain of $0.01 million in 7(a) and 504 loans and no change in EIDL loans as a result of changing the period for calculating the average number of employees for size standards from 12 months to 24 months. Similarly, SBA estimates that changes to the averaging period for employee-based size standards will have no impact on the Surety Bond and SBIC programs. Net impacts of the final rule are summarized in Table 16, ''Net Impact from Changing the Averaging Period for Employees from 12 Months to 24 Months.''

TABLE 16—NET IMPACT FROM CHANGING THE AVERAGING PERIOD FOR EMPLOYEES FROM 12 MONTHS TO 24 MONTHS

Impact of the change	Total expansive impact	Total contractive impact	Net impact
Total Number of impacted firms—SAM (as of Sept 1, 2019)	757	361	396
Impacted firms as % of total firms in the baseline—SAM (as of Sept 1, 2019)	0.5	0.2	0.3
Number of impacted firms—2012 Economic Census	1,484	1,050	435
Impacted firms as % of total firms in the baseline—2012 Economic Census	0.2	0.2	0.1
Number of impacted firms eligible for set-aside contracts (FPDS–NG)	219	197	22
Small business dollars impacted ($ million)	$423.2	$265.8	$157.8
Small business dollars impacted as % total set-aside dollars in the baseline	0.9	0.6	0.3
Number of 7(a) and 504 loans impacted	2	2	0
7(a) and 504 loan amount impacted ($ million)	$0.03	$0.02	$0.01
7(a)and 504 loan amount impacted as % of total 7(a)and 504 loan amount in the baseline	0.0	0.0	0.0
Number of EIDL loans impacted [1]	0	0	0
EIDL loan amount impacted ($ million) [1]	$0.0	$0.0	$0.0
EIDL loan amount impacted as % of total EIDL loan amount in the baseline [1]	0.0	0.0	0.0

[1] Excludes COVID–19 related EIDL loans due to their temporary nature. Effective January 1, 2022, SBA stopped accepting applications for new COVID EIDL loans or advances.

2. Net Impact of Changing the Averaging Period for Receipts From Three Years to Five Years

Under SBA's decision allowing businesses to elect to choose either a three-year receipts average or a five-year receipts average to establish small business eligibility for its Business Loan, Disaster Loan, SBG, and SBIC Programs, none of the currently eligible small businesses will experience a contractive impact from the change. In other words, the change will not cause any currently small businesses to lose or shorten their small business status. The change will enable some mid-size businesses above the size standard gain or regain small business status and some advanced small businesses close to the size standard to lengthen their small status. In the absence of contractive impacts, the expansive impacts shown in Table 14 (above) will also represent as net impacts of the change.

G. Transfer Impacts

1. Transfer Impacts of Changing the Averaging Period for Employees From 12 Months to 24 Months

The change may result in some redistribution of federal contracts between businesses gaining or extending small status and large businesses, and between businesses gaining or extending small status and other existing small businesses. However, it would have no impact on the overall economic activity since the total federal contract dollars available for businesses to compete for will not change. While SBA cannot quantify with certainty the actual outcome of the gains and losses from the redistribution of contracts among different groups of businesses, it can identify several probable impacts in qualitative terms. With the availability of a larger pool of small businesses under the change, some unrestricted federal contracts may be set aside for small businesses. As a result, large businesses may lose access to some federal contracts. Similarly, some currently small businesses may obtain fewer set-aside contracts due to the increased competition from some large businesses qualifying as small and advanced small businesses remaining small for a longer period. This impact may be offset by a greater number of procurements being set aside for all small businesses. With large businesses qualifying as small and advanced larger small businesses remaining small for a longer period under the final rule, smaller small businesses could face some disadvantages in competing for set-aside contracts against their larger counterparts. However, SBA cannot quantify these impacts.

2. Transfer Impacts of Changing the Averaging Period for Receipts From Three Years to Five Years

The change from a three-year averaging period to a five-year averaging period may result in some redistribution of federal contracts between businesses gaining or extending small business status and large businesses, and between businesses gaining or extending small business status and other existing small businesses. However, since the change in calculation of receipts in this final rule does not apply to federal contracting, these distributional impacts are not relevant for changing the averaging period for receipts from three years to five years.

Executive Order 12988

This action meets applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden. This action does not have retroactive or preemptive effect.

Executive Order 13132

For purposes of Executive Order 13132, SBA has determined that this final rule will not have substantial, direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, SBA has determined that this final rule has no federalism implications warranting preparation of a federalism assessment.

Executive Order 13563

Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. A description of the need for this regulatory action and benefits and costs associated with this action, including possible distributional impacts that relate to Executive Order 13563, is included above in the Benefit-Cost Analysis under Executive Order 12866. Additionally, Executive Order 13563, Section 6, calls for retrospective analyses of existing rules.

Following the enactment of Public Law 115–324, SBA issued a public notice advising business and contracting communities that SBA must go through a rulemaking process to implement the new law and that businesses still must report their receipts-based on a three-year average until SBA changes its regulations. SBA updated the Small Business Procurement Advisory Council (SBPAC) at its March 26, 2019, April 23, 2019, and August 26, 2019, meetings about SBA's rulemaking process to implement Public Law 115–324. On April 18, 2019, SBA also presented an update on the implementation of Public Law 115–324 at the 2019 Annual Government Procurement Conference. Through phone calls and emails, SBA also advised business and contracting communities and other interested parties about SBA's process to implement the new law.

Congressional Review Act

Subtitle E of the Small Business Regulatory Enforcement Fairness Act of 1996 (codified at 5 U.S.C. 801–808), also known as the Congressional Review Act or CRA, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. SBA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States. A major rule under the CRA cannot take effect until 60 days after it is published in the **Federal Register**. OIRA has determined that this rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

Regulatory Flexibility Act (Final Regulatory Flexibility Analysis)

Under the Regulatory Flexibility Act (RFA), this final rule may have a significant economic impact on a substantial number of small businesses in industries subject to both employee-based and receipts-based size standards. As described above, this rule may affect small businesses in those industries seeking assistance under federal small business programs. Specifically, the change in the averaging period for calculating the number employees for size standards from 12 months to 24 months may have a significant impact on a substantial number of businesses in industries subject to employee-based size standards in terms of qualifying for federal small business programs, including Federal contracts set aside for small businesses and SBA's loan programs. Similarly, the change in the averaging period for receipts from three years to five years will also impact a substantial number of businesses in the SBA Business Loan, Disaster Loan, SBC, and SBIC programs.

Accordingly, immediately below, SBA sets forth a final regulatory flexibility analysis (FRFA) of this final rule to address the following questions: (1) What is the need for and objective of the rule? (2) What is SBA's description and estimate of the number of small businesses to which the rule will apply? (3) What are the projected reporting, record-keeping, and other compliance requirements of the rule? (4) What are the relevant federal rules that may duplicate, overlap, or conflict with the rule? (5) What alternatives will allow SBA to accomplish its regulatory objectives while minimizing the impact on small businesses?

1. *What is the need for and objective of the rule?*

First, section 863 of the NDAA 2021, Public Law 116–283, changed the averaging period for SBA's employee-based size standards from 12 months to 24 months. The intent of this final rule is to implement Public Law 116–283 by amending 13 CFR 121.106 such that a concern would average its employees

over all pay periods in the preceding completed 24 months. Second, in 2018, Public Law 115–324 amended section 3(a)(2)(C)(ii)(II) of the Small Business Act by modifying the period for calculating average annual receipts for prescribing size standards for business concerns in services industries by an agency without separate statutory authority to issue size standards from three years to five years. In a final rule published December 5, 2019 (84 FR 66561), SBA implemented Public Law 115–324 by making changes to its receipts-based size standards for all SBA programs except the Business Loan and Disaster Loan Programs. This final rule would extend the changes to SBA's receipts-based size standards for the Business Loan, Disaster Loan, SBG, and SBIC Programs.

2. *What are SBA's description and estimate of the number of small businesses to which the rule will apply?*

This final rule applies to all small businesses that are subject to either an employee-based or a receipts-based size standard. Based on the 2012 Economic Census special tabulations, 2012 County Business Patterns Reports, and 2012 Agricultural Census tabulations, of a total of 680,266 firms in all industries with employee-based size standards to which this final rule will apply, 657,942 or about 96.7% are considered small under the 12-month employee average. Of 152,450 total concerns in SAM 2019 to which an employee-based size standard will apply, about 133,958 or 87.9% were small in at least one NAICS industry with an employee-based size standard. Similarly, based on the data from FPDS–NG for fiscal year 2019, about 39,700 unique firms in industries subject to employee-based size standards received at least one federal contract in 2019, of which 85.3%, or 33,867 were small.

Based on the same data sources listed above, of a total of nearly 7.2 million firms in all industries with receipts-based size standards to which this final rule will apply, 6.9 million or about 96% were considered small under the three-years receipts average. Of 334,990 total concerns in SAM 2019 to which a receipts-based size standard will apply, 292,454 or 87.3% were small in at least one NAICS industry with a receipts-based size standard.

3. *What are the projected reporting, record-keeping and other compliance requirements of the rule?*

The final rule changes existing reporting or record-keeping requirements for small businesses. To qualify for federal procurement and a few other programs, businesses are required to register in SAM and to self-certify that they are small at least once annually (FAR 52.204–13). For existing contracts, small business contractors are required to update their SAM registration as necessary, to ensure that they reflect the Contractor's current status (FAR 52.219–28). Businesses are also required to verify that their SAM registration is current, accurate, and complete with the submission of an offer for every new contract (FAR 52.204–7 and 52.204–8). Therefore, businesses opting to participate in those programs must comply with SAM requirements. There are no costs associated with SAM registration or certification. The change in the calculation of employees from a 12-month averaging period to a 24-month averaging period may result in some redistribution of federal contracts between businesses gaining or extending small status and large businesses, and between businesses gaining or extending small status and other existing small businesses. However, it would have no impact on the overall economic activity since the total federal contract dollars available for businesses to compete for will not change. Since the change in the calculation of annual average receipts in this final rule only applies to SBA financial assistance programs, this will have no impact on federal contracting and associated record-keeping requirements.

4. *What are the relevant federal rules which may duplicate, overlap, or conflict with the rule?*

Under section 3(a)(2)(C) of the Small Business Act, 15 U.S.C. 632(a)(2)(C), federal agencies must use SBA's size standards to define a small business, unless specifically authorized by statute to do otherwise. In 1995, SBA published in the **Federal Register** a list of statutory and regulatory size standards that identified the application of SBA's size standards as well as other size standards used by federal agencies (60 FR 57988 (November 24, 1995)). SBA is not aware of any federal rule that would duplicate or conflict with establishing size standards.

However, the Small Business Act and SBA's regulations allow federal agencies to develop different size standards if they believe that SBA's size standards are not appropriate for their programs, with the approval of SBA's Administrator (13 CFR 121.903). The Regulatory Flexibility Act, 5 U.S.C. 601(3), authorizes an Agency to establish an alternative small business definition, after consultation with the Office of Advocacy of the U.S. Small Business Administration.

5. *What alternatives will allow SBA to accomplish its regulatory objectives while minimizing the impact on small entities?*

By law, SBA is required to develop numerical size standards for establishing eligibility for federal small business assistance programs. Other than varying size standards by industry and changing the size measures or changing a measurement period, no practical alternative exists to the systems of numerical size standards. As stated elsewhere, the objective of this final rule is to change SBA's regulations on the calculation of business size in terms of average number of employees to implement Public Law 116–283 for all SBA programs and of average annual receipts to implement Public Law 115–324 for the SBA's Business Loan, Disaster Loan, SBG, and SBIC programs.

This rule is expected to affect a substantial number of small entities, but the effects are not expected to be significant. However, to mitigate any unintended negative impacts of a five-year averaging period on small businesses and to allow small businesses to continue to use the three-year receipts average, in this final rule SBA is allowing applicants in Business Loan, Disaster Loan, SBG, and SBIC programs to elect to calculate average annual receipts using either a three-year averaging period or a five-year averaging period.

Paperwork Reduction Act

For purposes of the Paperwork Reduction Act, 44 U.S.C. Chapter 35, SBA determined that this rule will require technical amendments to existing information collections as described below. SBA did not receive any comments related to the information collection revisions discussed in the proposed rule. Thus, SBA will proceed to amend the information collections to reflect the changes made by this final rule.

With respect to SBA Form 355, Information for Small Business Size Determination, OMB Control Number 3245–0101, SBA will revise Instruction No. 5 to specify that respondents will use a 24-month average to calculate number of employees. In Part II, question 10, respondents will then provide an average number of employees over 24 months.

SBA has determined that the changes to the Form 355 will not impact the paperwork burden, and it will remain at 4 hours.

SBA will revise the SBA Form 480, *Size Status Declaration,* for SBIC applicants to reflect the change to the 24-month average for applicants using an employee-based size standard, and the change to an election between a three-year average and a five-year average for applicants using a receipts-based size standard. The tangible net worth and net income measures for the alternative size standard for SBIC applicants will not change. SBA has determined that the changes to the Form 480 will not impact the paperwork burden.

Finally, SBA will revise Part M (Size Analysis) of SBA Form 1920 (7(a) Lender Application), OMB Control No.: 3245–0348, and Exhibit 4 of SBA Form 1244 (504 Loan Application), OMB Control No.: 3245–0071. The revisions will reflect the change to an election between a three-year average or a five-year average for applicants using a receipts-based size standard. The tangible net worth and net income values for the alternative size standard for 7(a) and 504 applicants will not change.

List of Subjects in 13 CFR Part 121

Administrative practice and procedure, Government procurement, Government property, Grant programs—business, Individuals with disabilities, Loan programs—business, Reporting and recordkeeping requirements, Small businesses.

For the reasons set forth in the preamble, SBA amends 13 CFR part 121 as follows:

PART 121—SMALL BUSINESS SIZE REGULATIONS

■ 1. The authority citation for part 121 continues to read as follows:

Authority: 15 U.S.C. 632, 634(b)(6), 636(a)(36), 662, and 694a(9); Public Law 116–136, Section 1114.

■ 2. In § 121.104, revise paragraph (c) to read as follows:

§ 121.104 How does SBA calculate annual receipts?

* * * * *

(c) *Period of measurement.* (1) Except for the Business Loan, Disaster Loan, Surety Bond Guarantee, and Small Business Investment Company (SBIC) Programs, annual receipts of a concern that has been in business for 5 or more completed fiscal years means the total receipts of the concern over its most recently completed 5 fiscal years divided by 5.

(2) Except for the Business Loan, Disaster Loan Programs, Surety Bond Guarantee, and SBIC Programs, annual receipts of a concern which has been in business for less than 5 complete fiscal years means the total receipts for the period the concern has been in business divided by the number of weeks in business, multiplied by 52.

(3) Except for the Business Loan, Disaster Loan, Surety Bond Guarantee, and SBIC Programs, where a concern has been in business 5 or more complete fiscal years but has a short year as one of the years within its period of measurement, annual receipts means the total receipts for the short year and the 4 full fiscal years divided by the total number of weeks in the short year and the 4 full fiscal years, multiplied by 52.

(4) For the Business Loan, Disaster Loan, Surety Bond Guarantee, and SBIC Programs, a concern that has been in business for three or more completed fiscal years may elect to calculate annual receipts using either the total receipts of the concern over its most recently completed 5 fiscal years divided by 5, or the total receipts of the concern over its most recently completed 3 fiscal years divided by 3. Annual receipts of a concern which has been in business for less than three complete fiscal years means the total receipts for the period the concern has been in business divided by the number of weeks in business, multiplied by 52. Where a concern has been in business three or more complete fiscal years but has a short year as one of the years within its period of measurement, annual receipts means the total receipts for the short year and the two full fiscal years divided by the total number of weeks in the short year and the two full fiscal years, multiplied by 52. For the purposes of this subsection, the Business Loan Programs consist of the 7(a) Loan Program, the Microloan Program, the Intermediary Lending Pilot Program, and the Development Company Loan Program (''504 Loan Program''). The Disaster Loan Programs consist of Economic Injury Disaster Loans, Military Reservist Economic Injury Disaster Loans, and Immediate Disaster Assistance Program loans.

* * * * *

■ 3. In § 121.106, revise paragraphs (b)(1) and (3) to read as follows:

§ 121.106 How does SBA calculate number of employees?

* * * * *

(b) * * *

(1) The average number of employees of the concern is used (including the employees of its domestic and foreign affiliates) based upon numbers of employees for each of the pay periods for the preceding completed 24 calendar months.

* * * * *

(3) If a concern has not been in business for 24 months, the average number of employees is used for each of the pay periods during which it has been in business.

* * * * *

■ 4. In § 121.903, revise paragraph (a)(1)(i) to read as follows:

§ 121.903 How may an agency use size standards for its programs that are different than those established by SBA?

(a) * * *

(1) * * *

(i) The size of a manufacturing concern by its average number of employees based on the preceding 24 calendar months, determined according to § 121.106;

* * * * *

Isabella Casillas Guzman,

Administrator.

[FR Doc. 2022–12131 Filed 6–3–22; 8:45 am]

BILLING CODE 8026–03–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2021–0877; Project Identifier AD–2020–01316–T; Amendment 39–22049; AD 2022–10–11]

RIN 2120–AA64

Airworthiness Directives; The Boeing Company Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain The Boeing Company Model 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SP, 747–400, 747–400D, and 747–400F series airplanes. This AD was prompted by a determination that a certain fastener type that penetrates the fuel tank walls has insufficient bond to the structure, and energy from a lightning strike or high-powered short circuit could cause arcing to occur at the ends of fasteners in the fuel tanks. This AD requires, for certain airplanes, reconfiguring the clamps of certain wire bundles, applying sealant to certain fasteners that penetrate the fuel tank walls, installing cushion clamps and polytetrafluoroethylene (TFE) sleeves, inspecting to determine if sealant was applied to certain fasteners, and

applying sealant if necessary. This AD also requires, for all airplanes, revising the maintenance or inspection program, as applicable, to incorporate new, more restrictive airworthiness limitations (AWLs). The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD is effective July 11, 2022.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of July 11, 2022.

ADDRESSES: For service information identified in this final rule, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110–SK57, Seal Beach, CA 90740–5600; telephone 562–797–1717; internet *https://www.myboeingfleet.com.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2021–0877.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2021–0877; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this final rule, any comments received, and other information. The address for Docket Operations is U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT: Rose Len, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3604; email: *rose.len@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

The FAA issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to certain The Boeing Company Model 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SP, 747–400, 747–400D, and 747–400F series airplanes. The NPRM published in the **Federal Register** on November 17, 2021 (86 FR 64085). The NPRM was prompted by a determination that a certain fastener type that penetrates the fuel tank walls has insufficient bond to the structure, and energy from a lightning strike or high-powered short circuit could cause arcing to occur at the ends of fasteners in the fuel tanks. In the NPRM, the FAA proposed to require, for certain airplanes, reconfiguring the clamps of certain wire bundles, applying sealant to certain fasteners that penetrate the fuel tank walls, installing cushion clamps and TFE sleeves, inspecting to determine if sealant was applied to certain fasteners, and applying sealant if necessary. In the NPRM, the FAA also proposed to require, for all airplanes, revising the maintenance or inspection program, as applicable, to incorporate new, more restrictive AWLs. The FAA is issuing this AD to address arcing in the event of a lightning strike or high-powered short circuit, which could result in a fuel tank explosion or fire.

Discussion of Final Airworthiness Directive

Comments

The FAA received comments from two commenters, Air Line Pilots Association, International (ALPA), and Boeing, who supported the NPRM without change.

The FAA also received comments from United Parcel Service (UPS), who supported the general actions in the NPRM and provided comments on the AWLs and the inspections specified in the NPRM. The FAA also received comments from Delta Air Lines (Delta). The following presents the comments received on the NPRM and the FAA's response to each comment.

Request To Change the NPRM to a Supersedure

Delta requested that the NPRM be changed to a supersedure of AD 2007–20–01, Amendment 39–15211 (72 FR 54533, September 26, 2007) (AD 2007–20–01). Delta stated that paragraph (f) of AD 2007–20–01 requires accomplishing Boeing Special Attention Service Bulletin 747–57–2327, Revision 1, dated July 10, 2006; and Boeing Special Attention Service Bulletin 747–57–2326, dated January 4, 2007. Delta also stated that the NPRM would require new actions in accordance with the latest revisions of the same service information required in AD 2007–20–01. Delta concluded that it would make compliance simpler by having all of the work in one place and not split between multiple versions of the same bulletins, provided credit is given for accomplishment of Work Packages 1 through 20 using previous revisions of Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020.

The FAA disagrees with the request. The FAA considered superseding AD 2007–20–01 to mandate actions that are necessary to address Special Federal Aviation Regulation No. 88 (SFAR 88) that were unintentionally omitted from Boeing Special Attention Service Bulletin 747–57–2327, Revision 1, dated July 10, 2006. However, the FAA reviewed Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020, and identified AD requirements for additional airplane groups and work packages. The FAA determined that a stand-alone AD would be appropriate because the actions required by AD 2007–20–01 have already been accomplished and paragraph (g) of this AD only applies to some of the airplanes identified in AD 2007–20–01. The additional work in Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020, is only required for certain airplanes, as identified in paragraphs (g)(1) and (2) of this AD. In addition, the actions specified in paragraph (g)(3) of this AD, using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, are only required for certain airplanes. The FAA has not changed this AD in this regard.

Request To Revise Initial Compliance Time for an Airworthiness Limitation

UPS requested that the initial compliance time in paragraph (h)(1) of the proposed AD be revised. UPS stated the compliance time should be within 12 years after incorporation of Boeing Special Attention Service Bulletin 747–57–2327, or within 24 months after the effective date of this AD, whichever occurs later. UPS stated the initial compliance time for AWL 28–AWL–33 is not stated in The Boeing Company 747–400 Maintenance Planning Data (MPD) Document, Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D621U400–9, Revision February 2020. UPS noted that paragraph (h)(1) of the proposed AD states the initial compliance time is at the time in the MPD document or within 60 days. UPS stated that due to the age of the affected airplanes that many would have to comply within the 60-day initial compliance time, which would put an undue burden on operators because this task requires extensive access common to heavy maintenance.

The FAA agrees to revise the initial compliance time. It was not the FAA's

intention to mandate the initial AWL No. 28–AWL–33 inspection tasks within 60 days after the effective date of this AD for operators that have not yet incorporated AWL No. 28–AWL–33 into the existing maintenance or inspection program, as applicable. However, the FAA disagrees with the compliance time proposed by UPS. The compliance time for AWL No. 28–AWL–33 depends on whether AWL No. 28–AWL–33 has already been incorporated into the operator's existing maintenance or inspection program, and on whether Boeing Special Attention Service Bulletin 747–57–2327 has been incorporated. AWL No. 28–AWL–33 applies to airplanes on which Boeing Special Attention Service Bulletin 747–57–2327 has been incorporated and airplanes having line number 645 and on. The FAA has revised the initial compliance time in paragraph (h)(1) of this AD by making this distinction of whether AWL No. 28–AWL–33 was previously incorporated into the operator's maintenance or inspection program and allowing for a 12 month initial compliance time if certain conditions apply. The FAA also revised the text for the initial compliance time in paragraph (h)(1) of this AD by replacing the reference to ''the tasks'' with a reference to ''AWL No. 28–AWL–33'' as it is the only task. The other AWL items referenced in paragraph (h)(1) of this AD are Critical Design Configuration Control Limitations (CDCCLs).

In addition, the FAA has revised the initial compliance time for AWL No. 28–AWL–25 in paragraph (h)(2) of this AD by making this distinction of whether AWL No. 28–AWL–25 was previously incorporated into the operator's maintenance or inspection program and allowing for a 12 month initial compliance time if certain conditions apply. The compliance time specified in the proposed AD for AWL No. 28–AWL–25 has a similar issue to the one for AWL No. 28–AWL–33. The FAA did not intend to mandate the initial AWL No. 28–AWL–25 inspection task within 60 days after the effective date of this AD for operators that have not already incorporated the task into the operator's existing maintenance or inspection program. The FAA also revised the text for the initial compliance time in paragraph (h)(2) of this AD by replacing the reference to ''the tasks'' with a reference to ''AWL No. 28–AWL–25'' as it is the only task. The other AWL items referenced in paragraph (h)(2) of this AD are CDCCLs.

Request To Remove Inspection for Sealant

UPS requested that the FAA remove paragraph (g)(2) of the proposed AD (which includes a requirement to inspect and seal the ends of certain fasteners inside the fuel tanks). UPS stated that AD 2007–20–01 includes a requirement to seal the ends of certain fasteners inside the fuel tanks in accordance with Boeing Special Attention Service Bulletin 747–57–2327, Revision 1, dated July 10, 2006. UPS stated that Step 5 of Figure 23 of Boeing Special Attention Service Bulletin 747–57–2327, Revision 1, dated July 10, 2006, specifies to apply the fillet sealant on the fastener and refers to certain airplane maintenance manual (AMM) procedures. UPS also noted that CDCCL 28–AWL–37, added by paragraph (h) of the proposed AD, only checks for cracked or damaged sealant. UPS concluded that paragraph (g)(2) does not provide any additional improvement in the condition of the affected airplanes from that required by AD 2007–20–01, and therefore should not be required.

The FAA disagrees with the request. The purpose of paragraph (g)(2) of this AD is to make sure that the fillet sealant on identified fasteners fully encapsulates those fasteners. Boeing Special Attention Service Bulletin 747–57–2327, Revision 1, dated July 10, 2006, does not specify to make sure that the fasteners are fully encapsulated with sealant. The AMM procedures are references only and therefore does not mandate that fasteners are fully encapsulated. Since Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020, also does not specify to fully encapsulate the fasteners, the requirement in paragraph (g)(2) of this AD includes an exception that states where note (f) of Figure 23 specifies to ''make sure to apply the fillet sealant on the fastener,'' this AD requires applying the fillet sealant to fully encapsulate the fastener penetrating the fuel tank. The FAA has not changed this AD in this regard.

Request To Provide Credit for Previous Actions

UPS requested that paragraph (j) of the proposed AD be revised to give credit for previous actions accomplished using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008. UPS stated that it performed the requirement to seal the ends of certain fasteners using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, as an alternative method of compliance to AD 2007–20–01 (which mandated Boeing Special Attention Service Bulletin 747–57–2326, dated January 4, 2007). UPS stated it does not believe they need to go back and verify that previously accomplished actions were done as directed. UPS notes that paragraph (f) of the proposed AD does state to comply with the AD unless already done, but paragraph (j) of the proposed AD does not give credit for previous actions accomplished using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008. UPS also stated that if credit is not given, the FAA should provide an explanation as to why operators need to go back and verify that previous AD required actions were accomplished as directed.

The FAA agrees that operators that sealed the fasteners using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, do not have to go back and verify that all fasteners identified in Figures 4 and 5 of Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, were sealed in accordance with Figure 1 of that same service bulletin. Only airplanes on which the fasteners were sealed using Boeing Special Attention Service Bulletin 747–57–2326, dated January 4, 2007, must be inspected and the fasteners sealed if necessary. The FAA has revised paragraph (g)(3) of this AD accordingly.

The FAA also notes there is no need to provide credit in paragraph (j) of the AD for actions taken using Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, because paragraph (f) of the AD mandates compliance with this AD within the compliance times specified, unless already done.

Conclusion

The FAA reviewed the relevant data, considered any comments received, and determined that air safety requires adopting this AD as proposed. Except for minor editorial changes, and any other changes described previously, this AD is adopted as proposed in the NPRM. None of the changes will increase the economic burden on any operator.

Related Service Information Under 1 CFR Part 51

The FAA reviewed Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020. This service information describes procedures for reconfiguring the clamps

of certain wire bundles, applying sealant to certain fasteners that penetrate the fuel tank walls, and installing cushion clamps and TFE sleeves on the wire bundles of the front spars and rear spars of the wings.

The FAA also reviewed Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008. This service information describes procedures for, among other actions, applying sealant to certain fasteners.

The FAA also reviewed The Boeing Company 747–400 Maintenance Planning Data (MPD) Document, Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D621U400–9, Revision February 2020, which includes revised AWL tasks 28–AWL–33, 28–AWL–34, and 28–AWL–37; and The Boeing Company 747–100/200/300/SP/SR Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6–13747–CMR, Revision September 2020, which includes revised AWL tasks 28–AWL–25, 28–AWL–27, and 28–AWL–28. The revised AWL tasks describe fuel airworthiness limitation items (ALIs) and CDCCLs that address fuel tank systems. These documents are distinct because they apply to different airplane models. The new AWLs include:

- An ALI (periodic inspections) of the cushion clamps and teflon sleeving installed on out-of-tank wire bundles installed on brackets that are mounted directly on the fuel tanks;
- A CDCCL for the cushion clamps and teflon sleeving installed on out-of-tank wire bundles installed on brackets that are mounted directly on the fuel tanks; and
- A CDCCL for lightning, fault current or hot short protection features.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in **ADDRESSES**.

Costs of Compliance

The FAA estimates that this AD affects 104 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Reconfiguring clamps, inspections, applying sealant, and installing clamps and TFE sleeves.	Up to 30 work-hours × $85 per hour = Up to $2,550.	Up to $2,004	Up to $4,554	Up to $473,616.

The FAA has determined that revising the maintenance or inspection program takes an average of 90 work-hours per operator, although the agency recognizes that this number may vary from operator to operator. Since operators incorporate maintenance or inspection program changes for their affected fleet(s), the FAA has determined that a per-operator estimate is more accurate than a per-airplane estimate. Therefore, the agency estimates the average total cost per operator to be $7,650 (90 work-hours × $85 per work-hour).

The FAA estimates the following costs to do any necessary application of sealant that would be required based on the results of the inspections. The agency has no way of determining the number of aircraft that might need this action:

ON-CONDITION COSTS

Action	Labor cost	Parts cost	Cost per product
Applying sealant	Up to 102 work-hours × $85 per hour = Up to $8,670	Up to $6,813	Up to $15,483.

The FAA has included all known costs in its cost estimate. According to the manufacturer, however, some or all of the costs of this AD may be covered under warranty, thereby reducing the cost impact on affected operators.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

This AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Will not affect intrastate aviation in Alaska, and

(3) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2022–10–11 The Boeing Company: Amendment 39–22049; Docket No. FAA–2021–0877; Project Identifier AD–2020–01316–T.

(a) Effective Date

This airworthiness directive (AD) is effective July 11, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to The Boeing Company Model 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SP, 747–400, 747–400D, and 747–400F series airplanes, certificated in any category, having line numbers 645 and subsequent.

(d) Subject

Air Transport Association (ATA) of America Code 28, Fuel; 57, Wings.

(e) Unsafe Condition

This AD was prompted by the FAA's analysis of the fuel system reviews conducted by the manufacturer. The FAA is issuing this AD to address arcing in the event of a lightning strike or high-powered short circuit, which could result in a fuel tank explosion or fire.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Reconfiguration of Wire Bundle Clamps, Sealant Application, Installation of Clamps and Sleeves, Inspections, and Corrective Actions

(1) For Group 1 through 9, 11, and 16 through 45 airplanes identified in Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020: Within 60 months after the effective date of this AD, reconfigure the clamps of the specified wire bundles, apply sealant to the specified fasteners that penetrate the fuel tank walls, and install cushion clamps and polytetrafluoroethylene (TFE) sleeves on the wire bundles of the front spars and rear spars of the wings, as applicable, in accordance with Work Packages 13 through 21, as applicable, of the Accomplishment Instructions of Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020.

(2) For airplanes on which the actions specified in Work Package 7, 8, or 9 of Boeing Special Attention Service Bulletin 747–57–2327 have been done: Within 60 months after the effective date of this AD, inspect to determine if the fillet sealant identified in step 5 of Figure 23 of Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020, was applied to fully encapsulate the fastener penetrating the fuel tank; and if the sealant does not fully encapsulate the fastener, before further flight, apply sealant as specified in step 5 of Figure 23, except where note (f) of Figure 23 specifies to ''make sure to apply the fillet sealant on the fastener,'' this AD requires applying the fillet sealant to fully encapsulate the fastener penetrating the fuel tank.

(3) For Group 2 airplanes identified in Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, on which fasteners were sealed using Boeing Special Attention Service Bulletin 747–57–2326, dated January 4, 2007: Within 60 months after the effective date of this AD, inspect to determine if all fasteners identified in Figures 4 and 5 of Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008, have been sealed; and if any fasteners are not sealed, before further flight, apply sealant in accordance with Figure 1 of Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008.

(h) Maintenance or Inspection Program Revision

(1) For Model 747–400, 747–400D, and 747–400F series airplanes: Within 60 days after the effective date of this AD: Revise the existing maintenance or inspection program, as applicable, by incorporating the information in airworthiness limitations (AWLs) 28–AWL–33, 28–AWL–34, and 28–AWL–37 of The Boeing Company 747–400 Maintenance Planning Data (MPD) Document, Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D621U400–9, Revision February 2020. The initial compliance time for doing AWL No. 28–AWL–33, ''Cushion Clamps and Teflon Sleeving Installed on Out-of-Tank Wire Bundles Installed on Brackets that are Mounted Directly on the Fuel Tanks,'' is at the applicable time specified in paragraphs (h)(1)(i) or (ii) of this AD.

(i) For airplanes that did not have any version of AWL No. 28–AWL–33 in the existing maintenance or inspection program before the effective date of this AD: Within 144 months since issuance of the original airworthiness certificate or original export certificate of airworthiness, within 144 months since Boeing Special Attention Bulletin 747–57–2327 was incorporated, or within 12 months after the effective date of this AD, whichever occurs latest.

(ii) For airplanes not identified in paragraph (h)(1)(i) of this AD: Within 144 months since AWL No. 28–AWL–33 was incorporated into the existing maintenance or inspection program, or within 144 months after the most recent inspection was performed as specified in AWL No. 28–AWL–33, whichever occurs later.

(2) For Model 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, and 747SP series airplanes: Within 60 days after the effective date of this AD, revise the existing maintenance or inspection program, as applicable, by incorporating the information in AWLs 28–AWL–25, 28–AWL–27, and 28–AWL–28 of The Boeing Company 747–100/200/300/SP/SR Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6–13747–CMR, Revision September 2020; except where the ''Applicability'' of AWLs 28–AWL–25 and 28–AWL–27 specifies ''ALL'' and ''NOTE,'' replace ''ALL'' and ''NOTE'' with ''Airplanes L/N 645 and on'' and remove the ''Applicability Note'' from the Description column of 28–AWL–25 and 28–AWL–27. The initial compliance time for doing AWL No. 28 AWL–25, ''Cushion Clamps and Teflon Sleeving Installed on Out-of-Tank Wire Bundles Installed on Brackets that are Mounted Directly on the Fuel Tanks,'' is at the applicable time specified in paragraphs (h)(2)(i) or (ii) of this AD.

(i) For airplanes that did not have any version of AWL No. 28–AWL–25 in the existing maintenance or inspection program before the effective date of this AD: Within 144 months since issuance of the original airworthiness certificate or original export certificate of airworthiness, within 144 months since Boeing Special Attention Bulletin 747–57–2327 was incorporated, or within 12 months after the effective date of this AD, whichever occurs latest.

(ii) For airplanes not identified in paragraph (h)(2)(i) of this AD: Within 144 months since AWL No. 28–AWL–25 was incorporated into the maintenance or inspection program, or within 144 months after the most recent inspection was performed as specified in AWL No. 28–AWL–25, whichever occurs later.

(i) No Alternative Actions, Intervals, and Critical Design Configuration Control Limitations (CDCCLs)

After the maintenance or inspection program has been revised as required by paragraph (h)(1) or (2) of this AD, no alternative actions (*e.g.,* inspections), intervals, and CDCCLs may be used unless the actions, intervals, and CDCCLs are approved as an alternative method of compliance (AMOC) in accordance with the procedures specified in paragraph (k) of this AD.

(j) Credit for Previous Actions

(1) This paragraph provides credit for the Work Package 13 actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraphs (j)(1)(i) through (iv) of this AD.

(i) Boeing Special Attention Service Bulletin 747–57–2327, Revision 4, dated August 26, 2010.

(ii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 5, dated September 20, 2011.

(iii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 6, dated February 21, 2013.

(iv) Boeing Special Attention Service Bulletin 747–57–2327, Revision 7, dated November 30, 2017.

(2) This paragraph provides credit for the Work Package 14, 15, and 16 actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraphs (j)(2)(i) through (iii) of this AD.

(i) Boeing Special Attention Service Bulletin 747–57–2327, Revision 5, dated September 20, 2011.

(ii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 6, dated February 21, 2013.

(iii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 7, dated November 30, 2017.

(3) This paragraph provides credit for the Work Package 17 actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using the service information specified in paragraphs (j)(3)(i) or (ii) of this AD.

(i) Boeing Special Attention Service Bulletin 747–57–2327, Revision 6, dated February 21, 2013.

(ii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 7, dated November 30, 2017.

(4) This paragraph provides credit for the Work Package 18, 19, and 20 actions specified in paragraph (g)(1) of this AD, if those actions were performed before the effective date of this AD using Boeing Special Attention Service Bulletin 747–57–2327, Revision 7, dated November 30, 2017.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, Seattle ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (l)(1) of this AD. Information may be emailed to: *9-ANM-Seattle-ACO-AMOC-Requests@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(3) An AMOC that provides an acceptable level of safety may be used for any repair, modification, or alteration required by this AD if it is approved by The Boeing Company Organization Designation Authorization (ODA) that has been authorized by the Manager, Seattle ACO Branch, FAA, to make those findings. To be approved, the repair method, modification deviation, or alteration deviation must meet the certification basis of the airplane, and the approval must specifically refer to this AD.

(l) Related Information

(1) For more information about this AD, contact Rose Len, Aerospace Engineer, Propulsion Section, FAA, Seattle ACO Branch, 2200 South 216th St., Des Moines, WA 98198; phone and fax: 206–231–3604; email: *rose.len@faa.gov.*

(2) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (m)(3) and (4) of this AD.

(m) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(i) Boeing Special Attention Service Bulletin 747–57–2326, Revision 1, dated January 31, 2008.

(ii) Boeing Special Attention Service Bulletin 747–57–2327, Revision 8, dated November 13, 2020.

(iii) The Boeing Company 747–100/200/300/SP/SR Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D6–13747–CMR, Revision September 2020.

(iv) The Boeing Company 747–400 Maintenance Planning Data (MPD) Document, Section 9, Airworthiness Limitations (AWLs) and Certification Maintenance Requirements (CMRs), D621U400–9, Revision February 2020.

(3) For service information identified in this AD, contact Boeing Commercial Airplanes, Attention: Contractual & Data Services (C&DS), 2600 Westminster Blvd., MC 110 SK57, Seal Beach, CA 90740–5600; telephone 562 797 1717; internet *https://www.myboeingfleet.com.* You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, *fr.inspection@nara.gov,* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on May 6, 2022.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–12030 Filed 6–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0596; Project Identifier MCAI–2022–00150–T; Amendment 39–22073; AD 2022–12–02]

RIN 2120–AA64

Airworthiness Directives; Bombardier, Inc., Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for all Bombardier, Inc., Model BD–100–1A10 airplanes. This AD was prompted by a report of multiple in-service events where, following a STAB TRIM FAULT advisory message and auto-pilot disconnect, flightcrew commands for a nose-up trim resulted in nose-down trim movement of the horizontal stabilizer instead. This AD requires revising the existing airplane flight manual (AFM) to provide the flightcrew with instructions for an expanded pre-flight check of the pitch trim, trim malfunction procedures, and revised ''AP STAB TRIM FAIL'' caution and ''STAB TRIM FAULT'' advisory procedures. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD becomes effective June 21, 2022.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of June 21, 2022.

The FAA must receive comments on this AD by July 21, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact Bombardier

Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* internet *https://www.bombardier.com.* You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0596.

Examining the AD Docket

You may examine the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0596; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, any comments received, and other information. The street address for the Docket Operations office is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–0596; Project Identifier MCAI–2022–00150–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *https://www.regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Discussion

Transport Canada Civil Aviation (TCCA) which is the aviation authority for Canada, has issued TCCA AD CF–2022–03, dated February 1, 2022 (TCCA AD CF–2022–03) (referred to after this as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for all Bombardier, Inc., Model BD–100–1A10 airplanes. You may examine the MCAI on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0596.

This AD was prompted by a report of multiple in-service events where, following a STAB TRIM FAULT advisory message and auto-pilot disconnect, flightcrew commands for a nose-up trim resulted in nose-down trim movement of the horizontal stabilizer instead. In some events, the horizontal stabilizer reached the full airplane nose-down trim position before the crew recognized the nature of the problem. The FAA is issuing this AD to address uncommanded horizontal stabilizer motion, which could result in increased crew workload and reduced safety margins; and if the flightcrew is unable to regain control of the horizontal stabilizer, would result in loss of control of the airplane and excessive high control forces. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

Bombardier has issued the following service information which includes the ''Before Starting Engines'' checklist in Chapter 04—Normal Procedures, of the AFM:

- Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1, Revision 67, dated March 29, 2022;
- Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC), Revision 67, dated March 29, 2022;
- Bombardier Challenger 350 AFM, CH 350, Revision 33, dated March 29, 2022.

This service information describes instructions for an expanded pre-flight check of the pitch trim. These documents are distinct since they apply to different airplane configurations.

Bombardier has also issued the following service information:

- Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1;
- Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC); and
- Challenger 350 Temporary Revision TR–23, dated December 20, 2021, to the Bombardier Challenger 350 AFM, CH 350.

This service information describes instructions for trim malfunction procedures, and revised ''AP STAB TRIM FAIL'' caution and ''STAB TRIM FAULT'' advisory procedures. These documents are distinct since they apply to different airplane configurations.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this AD because the FAA evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Requirements of This AD

This AD requires revising the existing airplane flight manual to add an expanded pre-flight check of the pitch trim, trim malfunction procedures, and revised ''AP STAB TRIM FAIL'' caution and ''STAB TRIM FAULT'' advisory procedures.

TCCA AD CF–2022–03 requires operators to ''brief all flight crews'' of the AFM procedures and thereafter to ''operate the aeroplane accordingly.'' However, this AD does not specifically require those actions as those actions are already required by FAA regulations. FAA regulations require operators furnish to pilots any changes to the AFM (for example, 14 CFR 121.137), and to ensure the pilots are familiar with the AFM (for example, 14 CFR 91.505). As with any other flightcrew training requirement, training on the updated AFM content is tracked by the operators and recorded in each pilot's training record, which is available for the FAA to review. FAA regulations also require pilots to follow the procedures in the existing AFM including all updates. 14 CFR 91.9 requires that any person operating a civil aircraft must comply with the operating limitations specified in the AFM. Therefore, including a requirement in this AD to operate the airplane according to the revised AFM would be redundant and unnecessary.

FAA's Justification and Determination of the Effective Date

Section 553(b)(3)(B) of the Administrative Procedure Act (APA) (5 U.S.C. 551 *et seq.*) authorizes agencies to dispense with notice and comment procedures for rules when the agency, for ''good cause,'' finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under this section, an agency, upon finding good cause, may issue a final rule without providing notice and seeking comment prior to issuance. Further, section 553(d) of the APA authorizes agencies to make rules effective in less than thirty days, upon a finding of good cause.

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because in some of the reported events, the horizontal stabilizer reached full airplane nose-down trim position before the flightcrew recognized the nature of the problem, resulting in increased flightcrew workload and reduced safety margins. If not addressed, an uncommanded horizontal stabilizer motion could result in the stabilizer reaching its full travel position, and consequently, the flightcrew may not be able to regain control of the horizontal stabilizer, which would result in loss of control of the airplane and excessive high control forces. Therefore, the FAA finds good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reasons stated above, the FAA finds that good cause exists pursuant to 5 U.S.C. 553(d) for making this amendment effective in less than 30 days.

Interim Action

The FAA considers this AD to be an interim action. TCCA AD CF–2022–03 states an investigation is ongoing and the revision of the existing AFM is a mitigating action.

Regulatory Flexibility Act (RFA)

The requirements of the RFA do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 678 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
1 work-hour × $85 per hour = $85	$0	$85	$57,630

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866, and

(2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2022–12–02 Bombardier, Inc.: Amendment 39–22073; Docket No. FAA–2022–0596; Project Identifier MCAI–2022–00150–T.

(a) Effective Date

This airworthiness directive (AD) becomes effective June 21, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to all Bombardier, Inc., Model BD–100–1A10 airplanes, certificated in any category.

(d) Subject

Air Transport Association (ATA) of America Code 27, Flight Controls.

(e) Reason

This AD was prompted by a report of multiple in-service events where, following a STAB TRIM FAULT advisory message and auto-pilot disconnect, flightcrew commands for a nose-up trim resulted in nose-down trim movement of the horizontal stabilizer instead. The FAA is issuing this AD to address uncommanded horizontal stabilizer motion, which could result in increased crew workload and reduced safety margins; and if the flightcrew is unable to regain control of the horizontal stabilizer, would result in loss of control of the airplane and excessive high control forces.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Revision of the Existing Airplane Flight Manual (AFM)—Non-Normal Procedures

Within 14 days after the effective date of this AD, revise the Non-Normal Procedures chapter of the existing Airplane Flight Manual to include the information in the applicable temporary revision identified in paragraphs (g)(1) through (3) of this AD.

(1) Bombardier Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Imperial Version).

(2) Bombardier Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Metric Version).

(3) Bombardier Challenger 350 Temporary Revision TR–23, dated December 20, 2021, to the Bombardier Challenger 350 AFM.

(h) Revision of the Existing AFM—Normal Procedures

Within 14 days after the effective date of this AD, revise the Normal Procedures chapter of the existing AFM to include the information for the ''Before Starting Engines'' checklist in Chapter 04—Normal Procedures, of the applicable AFM identified in paragraphs (h)(1) through (3) of this AD.

(1) Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1, Revision 67, dated March 29, 2022.

Note 1 to paragraph (h)(1): For obtaining the Before Starting Engines checklist for Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1, use Document Identification number CH 300 AFM–I.

(2) Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC), Revision 67, dated March 29, 2022.

Note 2 to paragraph (h)(2): For obtaining the Before Starting Engines checklist for Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC), use Document Identification number CH 300 AFM–M.

(3) Bombardier Challenger 350 AFM, CH 350, Revision 33, dated March 29, 2022.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or Bombardier, Inc.'s TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) TCCA AD CF–2022–03, dated February 1, 2022, for related information. This MCAI may be found in the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0596.

(2) For more information about this AD, contact Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) ''Before Starting Engines'' checklist in Chapter 04—Normal Procedures of Bombardier Challenger 300 Airplan Flight Manual (AFM) (Imperial Version), CSP 100–1, Revision 67, dated March 29, 2022.

(ii) ''Before Starting Engines'' checklist in Chapter 04—Normal Procedures of Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC), Revision 67, dated March 29, 2022.

(iii) ''Before Starting Engines'' checklist in Chapter 04—Normal Procedures of Bombardier Challenger 350 AFM CH 350, Revision 33, dated March 29, 2022.

(iv) Bombardier Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1.

(v) Bombardier Challenger 300 Temporary Revision TR–92, dated December 20, 2021, to the Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC).

(vi) Bombardier Challenger 350 Temporary Revision TR–23, dated December 20, 2021, to the Bombardier Challenger 350 AFM, CH 350.

(3) For service information identified in this AD, contact Bombardier Business Aircraft Customer Response Center, 400 Côte-Vertu Road West, Dorval, Québec H4S 1Y9, Canada; telephone 514–855–2999; email *ac.yul@aero.bombardier.com;* internet *https://www.bombardier.com.*

Note 3 to paragraph (k)(3): For obtaining the Before Starting Engines checklist for Bombardier Challenger 300 AFM (Imperial Version), CSP 100–1, use Document Identification number CH 300 AFM–I.

Note 4 to paragraph (k)(3): For obtaining the Before Starting Engines checklist for Bombardier Challenger 300 AFM (Metric Version), CSP 100–1 (METRIC), use Document Identification number CH 300 AFM–M.

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fr.inspection@nara.gov*, or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on May 26, 2022.

Gaetano A. Sciortino,

Deputy Director for Strategic Initiatives, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–12242 Filed 6–2–22; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0593; Project Identifier MCAI–2022–00408–T; Amendment 39–22064; AD 2022–11–14]

RIN 2120–AA64

Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for certain De Havilland Aircraft of Canada Limited Model DHC–8–401 and –402 airplanes. This AD was prompted by reports that following a main landing gear (MLG) extension, one of the MLGs could not be locked in the gear down position due to deterioration of greasing effectiveness over time. This AD requires repetitive lubrication of the MLG assembly. The FAA is issuing this AD to address the unsafe condition on these products.

DATES: This AD becomes effective June 21, 2022.

The Director of the Federal Register approved the incorporation by reference of a certain publication listed in this AD as of June 21, 2022.

The FAA must receive comments on this AD by July 21, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov.* Follow the instructions for submitting comments.
- *Fax:* 202–493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this final rule, contact De Havilland Aircraft of Canada Limited, Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd@dehavilland.com;* internet *https://dehavilland.com.* You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0593.

Examining the AD Docket

You may examine the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0593; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, any comments received, and other information. The street address for the Docket Operations office is listed above. Comments will be available in the AD docket shortly after receipt.

FOR FURTHER INFORMATION CONTACT: Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

Transport Canada Civil Aviation (TCCA) which is the aviation authority for Canada, has issued TCCA AD CF–2022–12, dated March 21, 2022 (referred to after this as the Mandatory Continuing Airworthiness Information, or the MCAI), to correct an unsafe condition for certain De Havilland Aircraft of Canada Limited Model DHC–8–401 and –402 airplanes. You may examine the MCAI on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0593.

This AD was prompted by reports that following a MLG extension, one of the MLGs could not be locked in the gear down position due to deterioration of greasing effectiveness over time. The deterioration of grease affects the MLG assembly, including the lock actuator assembly, stabilizer brace to nacelle structure attachment, downlock assembly, stabilizer brace pivot, stabilizer brace to yoke attachment and retractor actuator lug end. An increase in friction within the MLG assembly (mechanism) could lead to failure to achieve an MLG down and locked condition. The FAA is issuing this AD to address this condition, which could result in a MLG collapse upon landing and consequently could cause the wing of the airplane to make contact with the ground and cause the airplane to flip. See the MCAI for additional background information.

Related Service Information Under 1 CFR Part 51

De Havilland Aircraft of Canada Limited has issued Service Bulletin 84–32–168, Revision A, dated February 8, 2022. This service information describes procedures for repetitive lubrication of the MLG assembly, which includes the lock actuator assembly, stabilizer brace to nacelle structure attachment, downlock assembly, stabilizer brace pivot, stabilizer brace to yoke attachment and retractor actuator lug end.

This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the **ADDRESSES** section.

FAA's Determination

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to the FAA's bilateral agreement with the State of Design Authority, the FAA has been notified of the unsafe condition described in the MCAI and service information referenced above. The FAA is issuing this AD because the FAA evaluated all pertinent information and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

Requirements of This AD

This AD requires accomplishing the actions specified in the service information described previously, except as discussed under ''Differences Between this AD and the MCAI or Service Information.''

Differences Between This AD and Service Information

Paragraph 3.B. of the Accomplishment Instructions of De Havilland Aircraft of Canada Limited Service Bulletin 84–32–168, Revision A, dated February 8, 2022, specifies to do a review of the maintenance records to verify the elapsed time from the last greasing operation on the MLG; and for airplanes on which it has been over 3 months since the last greasing, perform greasing on the MLG assembly. However, this AD requires lubricating the MLG assembly within 500 flight hours or 3 months, whichever occurs

first after the effective date of this AD and thereafter at intervals not to exceed 500 flight hours or 3 months, whichever occurs first.

FAA's Justification and Determination of the Effective Date

An unsafe condition exists that requires the immediate adoption of this AD without providing an opportunity for public comments prior to adoption. The FAA has found that the risk to the flying public justifies waiving notice and comment prior to adoption of this rule because the FAA received reports that following a MLG extension, one of the MLGs could not be locked in the gear down position due to deterioration of greasing effectiveness over time. The deterioration of grease affects the MLG assembly, including the lock actuator assembly, stabilizer brace to nacelle structure attachment, downlock assembly, stabilizer brace pivot, stabilizer brace to yoke attachment and retractor actuator lug end. An increase in friction within the MLG assembly (mechanism) could lead to failure to achieve an MLG down and locked condition and result in an MLG collapse upon landing. For certain Model DHC–8–401 and –402 airplanes, a MLG collapse could cause the wing of the airplane to make contact with the ground as the wing on the collapsed MLG side may dig in to the runway and cause the airplane to flip. Therefore, the FAA finds good cause that notice and opportunity for prior public comment are impracticable. In addition, for the reasons stated above, the FAA finds that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–0593; Project Identifier MCAI–2022–00408–T'' at the beginning of your comments. The most helpful comments reference a specific portion of the final rule, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this final rule because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *https://www.regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this final rule.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this AD contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this AD, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this AD. Submissions containing CBI should be sent to Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.* Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Regulatory Flexibility Act (RFA)

The requirements of the RFA do not apply when an agency finds good cause pursuant to 5 U.S.C. 553 to adopt a rule without prior notice and comment. Because the FAA has determined that it has good cause to adopt this rule without notice and comment, RFA analysis is not required.

Costs of Compliance

The FAA estimates that this AD affects 41 airplanes of U.S. registry. The FAA estimates the following costs to comply with this AD:

ESTIMATED COSTS FOR REQUIRED ACTIONS

Labor cost	Parts cost	Cost per product	Cost on U.S. operators
2 work-hour × $85 per hour = $170	$0	$170	$6,970

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

(1) Is not a ''significant regulatory action'' under Executive Order 12866, and

(2) Will not affect intrastate aviation in Alaska.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2022–11–14 De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.): Amendment 39–22064; Docket No. FAA–2022–0593; Project Identifier MCAI–2022–00408–T.

(a) Effective Date

This airworthiness directive (AD) becomes effective June 21, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Model DHC–8–401 and –402 airplanes, certificated in any category, serial numbers 4001, 4003 and subsequent.

(d) Subject

Air Transport Association (ATA) of America Code 32, Landing gear.

(e) Reason

This AD was prompted by reports that following a main landing gear (MLG) extension, one of the MLGs could not be locked in the gear down position due to deterioration of greasing effectiveness over time. An increase in friction within the MLG assembly (mechanism) could lead to failure to achieve an MLG down and locked condition. The FAA is issuing this AD to address this condition, which could result in a MLG collapse upon landing and consequently could cause the wing of the airplane to make contact with the ground and cause the airplane to flip.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Repetitive Lubrication of the MLG Assembly

Within 500 flight hours or 3 months, whichever occurs first after the effective date of this AD: Lubricate the MLG assembly in accordance with paragraph 3.B.(2) of the Accomplishment Instructions of De Havilland Aircraft of Canada Limited Service Bulletin 84–32–168, Revision A, dated February 8, 2022. Thereafter repeat the lubrication of the MLG assembly at intervals not to exceed 500 flight hours or 3 months, whichever occurs first.

(h) Credit for Previous Actions

This paragraph provides credit for actions required by paragraph (g) of this AD, if those actions were performed before the effective date of this AD using De Havilland Aircraft of Canada Limited Service Bulletin 84–32–168, dated December 3, 2021.

(i) Other FAA AD Provisions

The following provisions also apply to this AD:

(1) *Alternative Methods of Compliance (AMOCs):* The Manager, New York ACO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your responsible Flight Standards Office, as appropriate. If sending information directly to the manager of the certification office, send it to ATTN: Program Manager, Continuing Operational Safety, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; fax 516–794–5531. Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the responsible Flight Standards Office.

(2) *Contacting the Manufacturer:* For any requirement in this AD to obtain instructions from a manufacturer, the instructions must be accomplished using a method approved by the Manager, New York ACO Branch, FAA; or Transport Canada Civil Aviation (TCCA); or De Havilland Aircraft of Canada Limited's TCCA Design Approval Organization (DAO). If approved by the DAO, the approval must include the DAO-authorized signature.

(j) Related Information

(1) Refer to Mandatory Continuing Airworthiness Information (MCAI) Transport Canada Civil Aviation AD CF–2022–12, dated March 21, 2022, for related information. This MCAI may be found in the AD docket on the internet at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0593.

(2) For more information about this AD, contact Elizabeth Dowling, Aerospace Engineer, Mechanical Systems and Administrative Services Section, FAA, New York ACO Branch, 1600 Stewart Avenue, Suite 410, Westbury, NY 11590; telephone 516–228–7300; email *9-avs-nyaco-cos@faa.gov.*

(3) Service information identified in this AD that is not incorporated by reference is available at the addresses specified in paragraphs (k)(3) and (4) of this AD.

(k) Material Incorporated by Reference

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless this AD specifies otherwise.

(i) De Havilland Aircraft of Canada Limited Service Bulletin 84–32–168, Revision A, dated February 8, 2022.

(ii) [Reserved]

(3) For service information identified in this AD, contact De Havilland Aircraft of Canada Limited, Q-Series Technical Help Desk, 123 Garratt Boulevard, Toronto, Ontario M3K 1Y5, Canada; telephone 416–375–4000; fax 416–375–4539; email *thd@dehavilland.com;* internet *https://dehavilland.com.*

(4) You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195.

(5) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email *fr.inspection@nara.gov,* or go to: *https://www.archives.gov/federal-register/cfr/ibr-locations.html.*

Issued on May 24, 2022.

Ross Landes,

Deputy Director for Regulatory Operations, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–12224 Filed 6–2–22; 4:15 pm]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 734, 740, 744, 746, and 766

[Docket No. 220526–0124]

RIN 0694–AI85

Export Administration Regulations: Revisions to Russia and Belarus Sanctions and Related Provisions; Other Revisions, Corrections, and Clarifications

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: Between February and May 2022, the Bureau of Industry and Security (BIS) has published a series of amendments to the Export Administration Regulations (EAR) that have increasingly tightened export controls on the Russian Federation (Russia) and Belarus in response to Russia's further invasion of Ukraine, as substantially enabled by Belarus. This rule revises, corrects, and clarifies certain provisions of the EAR that pertain to these controls and related provisions. First, this rule makes certain revisions to the EAR's military end use and military end user controls as they apply to Russia and Belarus, as well as related modifications to the entries for entities on the Entity List that are Russian and Belarusian military end users. Second, it revises restrictions that apply to items destined for certain regions in Ukraine by clarifying the

categories of license applications that BIS subjects to case-by-case review. Third, this rule clarifies and corrects provisions of the EAR that pertain to luxury goods destined for Russia and Belarus and items for use in Russia's oil refinery sector. Fourth, it makes a technical correction to an EAR provision describing items and activities subject to the EAR by adding a cross-reference to the Foreign Direct Product Rules of the EAR, which were updated shortly before the Russia and Belarus export controls were imposed. Finally, with regard to export control enforcement, including enforcement of the Russia and Belarus controls, this rule revises the EAR to allow export enforcement case charging letters to be made available to the public prior to the final administrative disposition of such cases.

DATES: This rule is effective June 2, 2022.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Email: *ERC@bis.doc.gov.*

SUPPLEMENTARY INFORMATION:

Background

This final rule revises, corrects, and clarifies certain provisions of the EAR that were either amended by recent Russia and Belarus-related rules or added to the EAR in parallel with such rules. It also makes a technical correction by adding references to certain provisions that of the EAR were either revised or added by the BIS final rule effective February 3, 2022 [1] that made organizational and clarifying changes to certain EAR Foreign Direct Product rules. Additionally, this final rule amends an EAR provision to allow for export enforcement case charging letters to be made available to the public prior to the final administrative disposition of such cases.

Since February 2022, BIS has published a series of rules that have increasingly tightened export controls on Russia in response to Russia's further invasion of Ukraine, and on Belarus for substantially enabling Russia's invasion. In a final rule effective February 24, 2022, *Implementation of Sanctions Against Russia Under the Export Administration Regulations (EAR)* (''Russia Sanctions Rule''),[2] BIS implemented stringent export controls on Russia as part of a set of broader U.S. Government sanctions measures, and in a second final rule effective March 2, 2022, *Imposition of Sanctions Against Belarus Under the Export Administration Regulations (EAR)* (''Belarus Sanctions Rule''),[3] BIS imposed similarly stringent export controls on Belarus. During the March–April 2022 period, BIS published additional final rules that either imposed additional export controls on one or both countries or were related to such controls. *See Expansion of Sanctions Against the Russian Industry Sector Under the Export Administration Regulations (EAR),* effective March 3, 2022 (''Industry Sector Sanctions rule''); [4] *Further Imposition of Sanctions Against Russia with the Addition of Certain Entities to the Entity List,* effective March 3, 2022 (''Russia Entity List rule''); [5] and *Imposition of Sanctions on 'Luxury Goods' Destined for Russia and Belarus and for Russian and Belarusian Oligarchs and Malign Actors Under the Export Administration Regulations (EAR),* effective March 11, 2022 (''Luxury Goods Sanctions Rule'').[6] BIS also published two final rules adding countries that are excluded from certain Belarus and Russia-related licensing requirements that would otherwise apply to exports from abroad, reexports, and transfers (in-country) of certain items subject to the EAR: one rule effective March 4, 2022,[7] and a second rule effective April 8, 2022.[8] Taken together, these rules added South Korea, Iceland, Liechtenstein, Norway, and Switzerland to the list of countries set forth in supplement no. 3 to part 746 of the EAR that are excluded from such licensing requirements. Additionally, BIS published a final rule effective April 8, 2022, *Expansion of Sanctions Against Russia and Belarus Under the Export Administration Regulations (EAR).*[9] As a result of this rule, which imposed licensing requirements on items controlled on the Commerce Control List (''CCL'') under Categories 0–2 that are destined for Russia or Belarus, all CCL items require export, reexport, and transfer (in-country) licenses if destined for or within either country. Most recently, BIS published a final rule effective May 9, 2022, *Expansion of Sanctions Against Russian Industry Sectors Under the Export Administration Regulations (EAR).*[10] This rule expanded the existing sanctions against Russian industry sectors by imposing a license requirement for exports, reexports, or transfers (in-country) to and within Russia for additional items subject to the EAR identified under specific Schedule B numbers or Harmonized Tariff Schedule codes.

Corrections to Part 734

This final rule makes three technical corrections to § 734.2(a)(1), the provision that describes what items and activities are subject to the EAR and references other provisions throughout the EAR in which items and activities subject to the EAR are described. The technical corrections made in this final rule are: (1) adding a reference in the third sentence to § 734.9, a provision added to the EAR by the February 3, 2022 rule that made changes to certain EAR Foreign Direct Product Rules; (2) adding references to §§ 734.8 and 734.10; and (3) removing the reference to § 734.11 in the final sentence, as § 734.11 does not reference items and activities subject to the EAR.

Corrections to Part 740

In § 740.9(a)(9)(i) (Temporary imports, exports, reexports, and transfers (in-country) (TMP)), this rule adds the covered regions of Ukraine, as they are described in § 746.6, to the list of countries and regions for which License Exception TMP is eligible for news media. This change is a technical correction; TMP is already available to news media for the covered regions of Ukraine, pursuant to § 746.6(c)(1).

In § 740.19 (Consumer Communications Devices (CCD)), under paragraph (c)(2)(iv) (Ineligible Belarusian Government officials), this final rule corrects a typographical error in the name 'Ministry of Defense,' which was intended to be spelled as 'Ministry of Defence.'

In supplement no. 1 to part 740—Country Groups, in the Country Group A table, this final rule corrects the entry for Belarus to add a footnote 3 designation. The Belarus Sanctions Rule revised footnote 3 to add a reference to Belarus, but inadvertently did not add a footnote 3 designation to Belarus in Country Group A.

Revisions to Section 744.21: Elimination of the Exclusion of EAR99 Food and Medicine From Licensing Requirements for Russian and Belarusian 'Military End Users' and Technical Corrections

As a result of amendments made by the Russia Sanctions Rule and the Belarus Sanctions Rule, BIS imposed an expansive license requirement under

[1] 87 FR 6022 (Feb. 3, 2022).
[2] 87 FR 12226 (March 3, 2022).
[3] 87 FR 13048 (March 8, 2022).
[4] 87 FR 12856 (March 8, 2022).
[5] 87 FR 13141 (March 9, 2022).
[6] 87 FR 14785 (March 16, 2022).
[7] 87 FR 13627 (March 10, 2022).
[8] 87 FR 21554 (April 12, 2022).
[9] 87 FR 22130 (April 14, 2022).
[10] 87 FR 28758 (May 11, 2022).

§ 744.21 of the EAR on items destined to 'military end uses' and 'military end users' in Russia and Belarus. This final rule revises § 744.21(b)(1)(ii) (License requirement for parties to the transaction), by removing the exclusion pertaining to food or medicine designated as EAR99 destined to Russian and Belarusian 'military end uses' and 'military end users'. Accordingly, as revised, the license requirement for Russian and Belarusian 'military end uses' and 'military end users' extends to food and medicine designated as EAR99.

Additionally, this final rule revises § 744.21(e)(1) (License review standards) to state that applications for food and medicine designated as EAR99 destined for Russian and Belarusian 'military end uses' and 'military end users' will be reviewed under a case-by-case license review policy. This case-by-case license review policy will provide BIS with the flexibility to approve or deny, as warranted, applications involving food and medicine designated as EAR99. Applications for all other items subject to the EAR, including all other EAR99 items, that are destined for Russian and Belarusian 'military end uses' and 'military end users' under this section are subject to a license review policy of denial under paragraph (e)(1).

BIS is taking this action because food and medicine may significantly contribute to the sustainment and reconstitution of Russian military forces engaged in combat in Ukraine. Combat actions initiated by Russian military forces in Ukraine—including numerous targeted or indiscriminate air, artillery and missile attacks against residential areas—have inflicted horrific casualties on Ukrainian civilians, including children. Combat actions initiated by Russian military forces in Bucha, Ukraine, and other locations previously occupied by Russian military forces, have resulted in similar atrocities. In light of Belarus's substantial enabling of Russia's military aggression in Ukraine, BIS also extends the license requirement for food and medicine designated as EAR99 to Belarusian military end uses and military end users.

This action does not impose a license requirement regarding the export, reexport, or transfer (in-country) of food and medicine designated as EAR99 for the use and benefit of the Russian people, the people of the Crimea region of Ukraine, or the so-called Donetsk People's Republic (DNR) and Luhansk People's Republic (LNR) regions of Ukraine (covered regions of Ukraine). Similarly, this rule does not alter or otherwise affect BIS policy regarding exports, reexports, or transfers (in country) of food and medicine designated as EAR99 to or within any other regions of Ukraine. Therefore, the license requirement for food or medicine designated as EAR99 to Russian and Belarusian 'military end uses' and 'military end users' will not impede the shipment of such items to the Russian people, to people located in the covered regions of Ukraine, or to people located in any other regions of Ukraine.

This final rule makes a technical correction to § 744.21(a) of the EAR in which a citation for the Commerce Control List (CCL) incorrectly indicates that the CCL is in part 744 of the EAR. This final rule corrects this citation by citing to part 774 of the EAR.

Additionally, consistent with BIS's intent, as reflected in the preamble of the Belarus Sanctions rule, BIS revises § 744.21(a) to add references to Belarus and to the Russian Federation, two destinations with a distinct (and more expansive) scope of applicable license requirements as compared with the other four destinations specified in § 744.21. This revision to the regulatory text was inadvertently omitted in the Belarus Sanctions rule. As a related restructuring revision, to ensure that the license requirements set forth in paragraph (a) are easily understood, this final rule separates the contents of paragraph (a) into paragraphs (a)(1) (applicable to 'military end uses' and 'military end users' in Burma, Cambodia, China, and Venezuela) and (a)(2) (applicable to 'military end uses' and 'military end users' in Russia and Belarus). This final rule also makes 'military end use' and 'military end user' plural in the title of § 744.21.

Supp. No. 4 to Part 744: Modifications to the Entity List: Elimination of Exclusion of Food and Medicine Designated as EAR99 Destined for Russian and Belarusian 'Military End Users' on the Entity List

Consistent with the revisions made to the scope of the license requirement set forth in § 744.21 that extends that requirement to food and medicine designated as EAR99 destined for Russian and Belarusian 'military end users' (and 'military end uses'), this final rule modifies the license requirement columns for 146 entities on the Entity List by eliminating the exclusion of food and medicine designated as EAR99 from the applicable license requirement. This final rule also modifies the applicable license review policy to refer to a policy of denial for all items apart from food and medicine designated as EAR99, which will be subject to a case-by-case review policy. The Russia Sanctions Rule and the Belarus Sanctions Rule had added 51 'military end users' to the Entity List, each with a footnote 3 designation. An additional rule, *Additions of Entities to the Entity List,* effective April 1, 2022,[11] added an additional 95 'military end users' with a footnote 3 designation to the Entity List. In total, all 146 footnote 3-designated entities added by those rules are modified by this final rule. With respect to each of these 146 footnote 3-designated entities, this final rule modifies the license requirement by deleting the language excluding food or medicine designated as EAR99, thereby extending the applicable license requirement to *all* items subject to the EAR. As a result of these modifications, a license is now required to export, reexport or transfer (in-country) food and medicine designated as EAR99 to these 146 footnote 3-designated entities. This final rule also removes references to export control classification numbers (ECCNs) 5A992.c and 5D992.c, Belarusian ''government end users,'' and Belarusian state-owned enterprises (SoEs) from the entry for JSC Integral, a footnote 3-designated entity listed under Belarus.

Additionally, this final rule modifies the applicable license application review policy to state that license applications for 143 of these 146 footnote 3-designated entities will be reviewed under a policy of denial with the exception of food and medicine designated as EAR99, which will be reviewed under a case-by-case review policy. The three exceptions to the case-by-case review policy for food and medicine designated as EAR99, all under the destination of Russia, are the Foreign Intelligence Service (SVR), the Federal Security Service (FSB), and the Main Intelligence Directorate. Previously, the applicable license review policy for the FSB and the Main Intelligence Directorate was a presumption of denial. This final rule modifies the license review policy for the FSB and the Main Intelligence Directorate to a policy of denial. Thus, applications destined to these three footnote 3-designated entities will be subject to a review policy of denial. Moreover, unlike with respect to the other 143 footnote 3-designated entities, the review policy of denial will apply to all items subject to the EAR.

Modifications regarding these 146 footnote 3-desginated entities have been unanimously approved by the agencies that comprise the End-User Review Committee (ERC). The ERC, composed

[11] 87 FR 20295 (April 7, 2022).

of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote and makes all decisions to remove or modify an entry by unanimous vote.

Sections 746.6 and 746.8: Revision to the License Review Policies and Related Clarifications

This final rule revises the license review policy in § 746.6 (Crimea Region of Ukraine and Covered Regions of Ukraine) so that it harmonizes with aspects of the license review policy in § 746.8 (Sanctions against Russia and Belarus) that applies to certain types of activities specified in that section. Specifically, this final rule adds to § 746.6 the same categories of license applications specified in § 746.8 (*e.g.,* safety of flight, maritime safety) that BIS will review under a case-by-case license review policy. Additionally, as revised by this final rule, under both provisions, BIS will take into consideration whether the transaction in question would benefit the Russian or Belarusian government or defense sectors. In the case of § 746.6, BIS will also consider whether the transaction would be detrimental to the country or people of Ukraine. Consistent with these changes in review policy, this final rule removes from § 746.6 the reference to the case-by-case review of applications for transactions authorized under OFAC Ukraine-Related General Licenses. BIS expects that harmonizing the license review policies in §§ 746.6 and 746.8 in this manner will make it easier for exporters, reexporters, and transferors to understand the policies.

Clarification to License Review Policy To Support Civil Telecommunications Infrastructure

In § 746.8 (Sanctions against Russia and Belarus), a provision added to the EAR by the Russia Sanctions Rule and subsequently amended by the Belarus Sanctions Rule, under paragraph (b) (Licensing policy), this final rule makes a clarification to the second sentence of the paragraph to add the phrase ''in the United States'' to clarify that applications for companies headquartered in the United States, as well as those in Country Groups A:5 and A:6, that are in support of civil telecommunications infrastructure, will be reviewed under a case-by-case license review policy.

Clarifications to Supplements No. 2 and 4 to Part 746—Russian Industry Sector Sanction List

This final rule clarifies three of the Schedule B numbers (8421398020, 8421398030, and 8421398040) included in supplement no. 2 to part 746—Russian Industry Sector Sanctions List. The change reflects amendments made to Schedule B since the issuance of an August 2014 rule that added supplement no. 2 to the EAR (79 FR 45680 (Aug. 6, 2014)). This final rule updates supplement no. 2 to include the current Schedule B numbers for these items (8421390120, 8421390130, and 8421390140). This update is limited to the Schedule B numbers and does not otherwise change the description of the items described under supplement no. 2 to part 746. Given that Schedule B number 8421390140 is also listed in supplement no. 4 to part 746, this rule revises the introductory paragraphs of both supplements nos. 2 and 4 to part 746 by adding a cross-reference to this Schedule B number.

Clarification to Supplement No. 5 to Part 746—Luxury Goods Sanctions on Russia and Belarus and Certain Russian and Belarusian Oligarchs and Malign Actors

This final rule clarifies language in a regulatory supplement that was added to the EAR by the Luxury Goods Sanctions Rule. Specifically, this rule makes a clarification to supplement no. 5 to part 746 that identifies by Schedule B numbers 'luxury goods' that are subject to a license requirement set forth in § 746.8 when destined for Russia or Belarus, or for certain Russian and Belarusian oligarchs and malign actors regardless of their location. This final rule revises the phrase ''$1000 Per Unit Wholesale Price in the U.S.'' that appears in each of the sixty-one clothing and shoes Schedule B entries by adding the language ''valued at greater than or equal to'' to each entry. This revision clarifies that the licensing requirement applies only when the per unit wholesale price in the United States is $1,000 or greater. BIS is making this clarification to assist exporters, reexporters, and transferors in understanding the scope of 'luxury goods' that are controlled under those sixty-one Schedule B entries.

Revision to Section 766.20—Record for Decision and Availability of Documents

This final rule revises § 766.20 of the EAR, which governs the public availability of documents in administrative enforcement proceedings, by permitting export enforcement case charging letters to be made available to the public prior to the final administrative disposition of such cases.

Specifically, this final rule amends § 766.20(c)(2)(ii) by revising the first sentence to specify that charging letters filed with an Administrative Law Judge on or after June 2, 2022, can be made available prior to the final administrative disposition of the case. As a result of this change, charging letters will be publicly available following their issuance in accordance with § 766.3 of the EAR. Consistent with the prior language set forth in § 766.20(c)(2)(ii), documents other than charging letters filed in such cases will continue to be made available only after the final administrative disposition of the applicable case.

This change will enhance BIS's transparency efforts, including with respect to actions related to Russia and Belarus export controls, by making information related to administrative enforcement cases available to the public at an earlier stage of the related proceedings. As such, BIS will be able to inform interested parties of ongoing enforcement efforts in a more timely way and educate the exporting community, particularly with respect to recent amendments to the EAR that could result in new bases for enforcement action. Previously, interested parties had less timely information regarding BIS's enforcement activities, limiting their ability to use such information in the development of, for example, their compliance programs. Similarly, other interested stakeholders will benefit from earlier, enhanced visibility.

Savings Clause

For the changes being made in this final rule, shipments of items removed from eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR) as a result of this regulatory action that were en route aboard a carrier to a port of export, reexport, or transfer (in-country), on June 2, 2022, pursuant to actual orders for export, reexport, or transfer (in-country) to or within a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR).

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018

(ECRA) (50 U.S.C. 4801–4852). ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this rule. Additionally, the International Emergency Economic Powers Act, codified, as amended, at 50 U.S.C. Section 1701 *et seq.,* and Executive Order 14068, dated March 11, 2022, serve as authorities for this rule.

Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to or be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under control number 0694–0088, Simplified Network Application Processing System, which includes, among other things, license applications and commodity classifications, and carries a burden estimate of 29.6 minutes for a manual or electronic submission for a total burden estimate of 33,133 hours. Total burden hours associated with the PRA and OMB control number 0694–0088 are not expected to increase as a result of this rule.

3. This rule does not contain policies with federalism implications as that term is defined in Executive Order 13132.

4. Pursuant to section 1762 of the Export Control Reform Act of 2018, this action is exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation, and delay in effective date.

5. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

List of Subjects

15 CFR Part 734

Administrative practice and procedure, Exports, Inventions and patents, Research, Science and technology.

15 CFR Part 740

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

15 CFR Part 746

Exports, Reporting and recordkeeping requirements.

15 CFR Part 766

Exports, Administrative enforcement proceedings.

Accordingly, parts 734, 740, 744, 746, and 766 of the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

PART 734—SCOPE OF THE EXPORT ADMINISTRATION REGULATIONS

■ 1. The authority citation for part 734 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of September 15, 2021, 86 FR 52069 (September 17, 2021); Notice of November 10, 2021, 86 FR 62891 (November 12, 2021).

■ 2. Section 734.2 is amended by revising paragraph (a)(1) to read as follows:

§ 734.2 Subject to the EAR.

(a) * * * (1) ''*Subject to the EAR*'' is a term used in the EAR to describe those items and activities over which BIS exercises regulatory jurisdiction under the EAR. Conversely, items and activities that are not subject to the EAR are outside the regulatory jurisdiction of the EAR and are not affected by these regulations. The items and activities subject to the EAR are described in §§ 734.2 through 734.5 and 734.9 of this part. You should review the Commerce Control List (CCL) and any applicable parts of the EAR to determine whether an item or activity is subject to the EAR. However, if you need help in determining whether an item or activity is subject to the EAR, see § 734.6 of this part. Publicly available technology and software not subject to the EAR are described in §§ 734.7, 734.8, 734.10, and supplement no. 1 to this part.

* * * * *

PART 740—LICENSE EXCEPTIONS

■ 3. The authority citation for part 740 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 7201 *et seq.;* E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783.

■ 4. Amend § 740.9 by revising paragraph (a)(9)(i) introductory text to read as follows:

§ 740.9 Temporary imports, exports, reexports, and transfers (in-country) (TMP).

(a) * * *

(9) * * *

(i) Commodities necessary for news-gathering purposes (and software necessary to use such commodities) may be temporarily exported or reexported for accredited news media personnel (*i.e.,* persons with credentials from a news-gathering or reporting firm) to Cuba, North Korea, Syria (see supplement no. 1 to part 740), or the covered regions of Ukraine (as specified in § 746.6) if the commodities:

* * * * *

§ 740.19 [Amended]

■ 5. In § 740.19 amend paragraph (c)(2)(iv) by removing the term ''Ministry of Defense'' and adding in its place the term ''Ministry of Defence''.

■ 6. Supplement no. 1 to part 740 is amended by revising the entry for ''Belarus'' in the Country Group A table to read as follows:

SUPPLEMENT NO. 1 TO PART 740—COUNTRY GROUPS

[Country Group A]

Country	[A:1] Wassenaar participating states [1]	[A:2] Missile technology control regime [2]	[A:3] Australia group	[A:4] Nuclear suppliers group [3]	[A:5]	[A:6]
* * *	*	*	*	*	*	*
Belarus.[3]						
* * *	*	*	*	*	*	*

[1] Country Group A:1 is a list of the Wassenaar Arrangement Participating States, except for Malta, Russia and Ukraine.
[2] Country Group A:2 is a list of the Missile Technology Control Regime countries, except for Russia.
[3] Country Group A:4 is a list of the Nuclear Suppliers Group countries, except for the People's Republic of China (PRC), Russia, and Belarus.

* * * * *

PART 744—CONTROL POLICY: END-USER AND END-USE BASED

■ 7. The authority citation for part 744 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of September 15, 2021, 86 FR 52069 (September 17, 2021); Notice of November 10, 2021, 86 FR 62891 (November 12, 2021).

■ 8. Section 744.21 is amended by revising paragraph (a), the second sentence of paragraph (b)(1)(ii), and the second sentence of paragraph (e)(1) to read as follows:

§ 744.21 Restrictions on certain 'military end uses' or 'military end users' in Belarus, Burma, Cambodia, the People's Republic of China, the Russian Federation, or Venezuela.

(a) *General prohibition.* In addition to the license requirements for items specified on the Commerce Control List (CCL) (supplement no. 1 to part 774), you may not export, reexport, or transfer (in-country):

(1) Any item subject to the EAR listed in supplement no. 2 to this part to Burma, Cambodia, the People's Republic of China (China), or Venezuela without a license if, at the time of the export, reexport, or transfer (in-country), you have ''knowledge,'' as defined in § 772.1 of the EAR, that the item is intended, entirely or in part, for a 'military end use,' as defined in paragraph (f) of this section, or a 'military end user,' as defined in paragraph (g) of this section, in Burma, Cambodia, China, or Venezuela.

(2) Any item subject to the EAR to Belarus or the Russian Federation without a license if, at the time of the export, reexport, or transfer (in-country), you have ''knowledge,'' as defined in § 772.1 of the EAR that the item is intended, entirely or in part, for a 'military end use,' as defined in paragraph (f) of this section, or a 'military end user,' as defined in paragraph (g) of this section, in Belarus or the Russian Federation.

(b) * * *

(1) * * *

(ii) * * * Consistent with paragraph (a) of this section, a license is required for the export, reexport, or transfer (in-country) of any item subject to the EAR to Russia or to Belarus when an entity that is listed on the Entity List under Russia or Belarus pursuant to this section is a party to the transaction as described in § 748.5(c) through (f) of the EAR.

* * * * *

(e) * * *

(1) * * * Applications to export, reexport, or transfer (in-country) items to or within Russia or Belarus described in paragraph (a) of this section will be reviewed with a policy of denial except for food and medicine designated as EAR99, which will be reviewed under a case-by-case review policy, unless otherwise stated in the license review policy column on the Entity List (supplement no. 4 to part 744).

* * * * *

■ 9. Supplement No. 4 to part 744 is amended:

■ a. Under BELARUS by revising the entries for ''140 Repair Plant JSC,'' ''558 Aircraft Repair Plant JSC,'' ''2566 Radioelectronic Armament Repair Plant JSC,'' ''AGAT—Control Systems—Managing Company of Geoinformation Control Systems Holding JSC,'' ''Agat-Electromechanical Plant OJSC,'' ''AGAT–SYSTEM,'' ''ATE-Engineering LLC,'' ''BelOMO Holding,'' ''Belspetsvneshtechnika SFTUE,'' ''BSVT-New Technologies,'' ''CJSC Beltechexport,'' ''Department of Internal Affairs of the Gomel Region Executive Committee,'' ''Internal Troops of The Ministry of Internal Affairs of the Republic of Belarus,'' ''JSC Integral,'' ''JSC Transaviaexport Airlines,'' ''KGB Alpha,'' ''Kidma Tech OJSC,'' ''Minotor-Service,'' ''Minsk Wheeled Tractor Plant,'' ''Oboronnye Initsiativy LLC,'' ''OJS KB Radar Managing Company,'' ''Peleng JSC,'' ''State Authority for Military Industry of the Republic of Belarus,'' ''State Security Committee of the Republic of Belarus,'' ''The Ministry of Defence of the Republic of Belarus, including the Armed Forces of Belarus,'' and ''Volatavto OJSC''; and

■ b. Under RUSSIA by revising the entries for ''5th Shipyard,'' ''Admiralty Shipyard JSC,'' ''Alagir Resistor Factory,'' ''Aleksandrov Scientific Research Technological Institute NITI,'' ''All-Russian Scientific-Research Institute Etalon JSC,'' ''Almaz JSC,'' ''Argut OOO,'' ''Communication Center of the Ministry of Defence,'' ''Dolgoprudniy Design Bureau of Automatics,'' ''Electronic Computing Technology Scientific-Research Center,'' ''Electrosignal JSC,'' ''Federal Research Center Boreskov Institute of Catalysis,'' ''Federal Security Service (FSB),'' ''Federal State Budgetary Enterprise of the Administration of the President of Russia,'' ''Federal State Budgetary Enterprise Special Flight Unit Rossiya of the Administration of the President of Russia,'' ''Federal State Unitary Enterprise Dukhov Automatics Research Institute (VNIIA),'' ''Foreign Intelligence Service (SVR),'' ''Forensic Center of Nizhniy Novgorod Region Main Directorate of the Ministry of Interior Affairs,'' ''Inteltech PJSC,'' ''International Center for Quantum Optics and Quantum Technologies LLC,'' ''Irkut Corporation,'' ''Irkut Research and Production Corporation

Public Joint Stock Company,'' ''Joint Stock Company NPO Elektromechaniki,'' ''Joint Stock Company Scientific Research Institute of Computing Machinery,'' ''JSC Central Research Institute of Machine Building (JSC TsNIIMash),'' ''JSC Kazan Helicopter Plant Repair Service,'' ''JSC Rocket and Space Centre—Progress,'' ''Kamensk-Uralsky Metallurgical Works J.S. Co.,'' ''Kazan Helicopter Plant PJSC,'' ''Komsomolsk-na-Amur Aviation Production Organization (KNAAPO),'' ''Kulon Scientific-Research Institute JSC,'' ''Lutch Design Office JSC,'' ''Main Intelligence Directorate,'' ''Meteor Plant JSC,'' ''Ministry of Defence of the Russian Federation,'' ''Moscow Communications Research Institute JSC,'' ''Moscow Institute of Physics and Technology,'' ''Moscow Order of the Red Banner of Labor Research Radio Engineering Institute JSC,'' ''NPO High Precision Systems JSC,'' ''NPO Splav JSC,'' ''Oboronprom OJSC,'' ''Omsk Production Union Irtysh JSC,'' ''Omsk Scientific-Research Institute of Instrument Engineering JSC,'' ''Optron JSC,'' PJSC Beriev Aircraft Company,'' ''PJSC Irkut Corporation,'' ''PJSC Kazan Helicopters,'' ''Polyot Chelyabinsk Radio Plant JSC,'' ''POLYUS Research Institute of M.F. Stelmakh Joint Stock Company,'' ''Promtech-Dubna, JSC,'' ''Pskov Distance Communications Equipment Plant,'' ''Public Joint Stock Company United Aircraft Corporation,'' ''Radiotechnical and Information Systems (RTI) Concern,'' ''Radiozavod JSC,'' ''Rapart Services LLC,'' ''Razryad JSC,'' ''Research Production Association Mars,'' ''Rosoboronexport OJSC (ROE),'' ''Rostec (Russian Technologies State Corporation),'' ''Rostekh—Azimuth,'' ''Russian Aircraft Corporation MiG,'' ''Russian Helicopters JSC,'' ''Ryazan Radio-Plant,'' ''Scientific-Production Association and Scientific-Research Institute of Radio-Components,'' ''Scientific-Production Enterprise Almaz JSC,'' ''Scientific-Production Enterprise ''Kant'','' ''Scientific Production Enterprise ''Radiosviaz'','' ''Scientific-Production Enterprise ''Svyaz'','' ''Scientific-Production Enterprise Volna,'' ''Scientific-Production Enterprise Vostok JSC,'' ''Scientific-Research Institute ''Argon'','' ''Scientific Research Institute Ferrite-Domen,'' ''Scientific-Research Institute of Automated Systems and Communications Complexes Neptune JSC,'' ''Scientific Research Institute of Communication Management Systems,'' ''SP Kvant,'' ''Special Design and Technical Bureau for Relay Technology,'' ''Sukhoi Aviation JSC,'' ''Sukhoi Civil Aircraft,'' ''Tactical Missile Corporation, 711 Aircraft Repair Plant (711 ARZ),'' ''Tactical Missile Corporation, AO GNPP ''Region'','' ''Tactical Missile Corporation, AO TMKB ''Soyuz'','' ''Tactical Missile Corporation, Azov Optical and Mechanical Plant,'' ''Tactical Missile Corporation, ''Central Design Bureau of Automation'','' ''Tactical Missile Corporation, Concern ''MPO—Gidropribor'','' ''Tactical Missile Corporation, Joint Stock Company Avangard,'' ''Tactical Missile Corporation, Joint Stock Company Concern Granit-Electron,'' ''Tactical Missile Corporation, Joint Stock Company Elektrotyaga,'' ''Tactical Missile Corporation, Joint Stock Company GosNIIMash,'' ''Tactical Missile Corporation, Joint Stock Company PA Strela,'' ''Tactical Missile Corporation, Joint Stock Company ''Plant Dagdiesel'','' ''Tactical Missile Corporation, Joint Stock Company Plant Kulakov,'' ''Tactical Missile Corporation, Joint Stock Company Ravenstvo,'' ''Tactical Missile Corporation, Joint Stock Company Ravenstvo-service,'' ''Tactical Missile Corporation, Joint-Stock Company ''Research Center for Automated Design,'' ''Tactical Missile Corporation, Joint Stock Company ''Salute'','' ''Tactical Missile Corporation, Joint Stock Company Saratov Radio Instrument Plant,'' ''Tactical Missile Corporation Joint Stock Company ''Scientific Research Institute of Marine Heat Engineering'','' ''Tactical Missile Corporation, Joint Stock Company Severny Press,'' ''Tactical Missile Corporation, Joint Stock Company ''State Machine Building Design Bureau ''Vympel'' By Name I.I. Toropov'','' ''Tactical Missile Corporation, Joint Stock Company ''URALELEMENT'','' ''Tactical Missile Corporation JSC ''KRASNY GIDROPRESS'','' ''Tactical Missile Corporation, KB Mashinostroeniya,'' ''Tactical Missile Corporation, NPO Electromechanics,'' ''Tactical Missile Corporation, NPO Lightning,'' ''Tactical Missile Corporation, Petrovsky Electromechanical Plant ''Molot'','' ''Tactical Missile Corporation, PJSC ANPP Temp Avia,'' ''Tactical Missile Corporation, PJSC ''MBDB ISKRA'','' ''Tactical Missile Corporation, Raduga Design Bureau,'' ''Tactical Missile Corporation, RKB Globus,'' ''Tactical Missile Corporation, Smolensk Aviation Plant,'' ''Tactical Missile Corporation, TRV Engineering,'' ''Tactical Missile Corporation, Ural Design Bureau ''Detal'','' ''Tactical Missile Corporation, Zvezda-Strela Limited Liability Company,'' ''Tactical Missiles Corporation JSC,'' ''Tupolev JSC,'' ''UEC-Saturn,'' ''United Aircraft Corporation,'' ''United Engine Corporation,'' ''United Instrument Manufacturing Corporation,'' and ''United Shipbuilding Corporation ''Production Association Northern Machine Building Enterprise'' ''.

The revisions read as follows:

Supplement No. 4 to Part 744—Entity List

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Country	Entity	License requirement	License review policy	**Federal Register** citation
*	* *	*	*	*
BELARUS	140 Repair Plant JSC, a.k.a., the following two aliases: —Open Joint Stock Company 140 Repair Plant; *and* —JSC 140 Repair Plant. 19 Luysi Chalovskoy St., Borisov, 222512, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22
	558 Aircraft Repair Plant JSC, a.k.a., the following one alias: —JSC 558 ARP. 7 50 Years VLKSM St., Baranovichi, Brest region, 225320, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	2566 Radioelectronic Armament Repair Plant JSC, a.k.a., the following one alias: —JSC 2566 ZRREV. 54 Gagarina St., Borisov, 222511, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	AGAT—Control Systems—Managing Company of Geoinformation Control Systems Holding JSC, a.k.a., the following one alias: —AGAT—Control Systems. 117/1 Nezavisimosti Ave., Minsk, 220114, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Agat-Electromechanical Plant OJSC, a.k.a., the following two aliases: —JSC Agat Electromechanical Plant; *and* —Agat-Elektromekhanicheski Zavod. 6 Volgogradskaya St., Minsk, 220012, Belarus; *and* 117, bld. 3, Nezavisimosti Ave., Minsk 220114, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	AGAT–SYSTEM, 51B Francyska Skaryna St., Minsk, 220141, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	ATE-Engineering LLC, 15A Smolenskaya St., Minsk, 220088, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	BelOMO Holding, a.k.a., the following one alias: —The Belarusian Optical and Mechanical Association. 23 Makaenka St., Minsk, 220114, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Belspetsyneshtechnika SFTUE, a.k.a., the following two aliases: —State-Owned Foreign Trade Unitary Enterprise Belspetsvneshtechnika; *and* —BSVT. 8 Kalinovsky St., Minsk, 220103, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Beltechexport, CJSC, 86–B Nezavisimosti Ave., Minsk, 220012, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	BSVT-New Technologies, 187 Soltysa Street, Minsk, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Department of Internal Affairs of the Gomel Region Executive Committee, a.k.a., the following one alias: —UVD of the Gomel Region Executive Committee. 3 Kommunarov Street, Gomel, 246050, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Internal Troops of The Ministry of Internal Affairs of the Republic of Belarus, a.k.a., the following one alias: —MVD Internal Troops. 4 Gorodskoi Val, Minsk, 220030, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	Federal Register citation
	JSC Integral, a.k.a., the following two aliases: —OAO Integral; *and* —Joint-Stock Company Integral—Holding Managing Company. 121A, Kazintsa I.P. Str., Minsk, 220108, Belarus; *and* 12 Korzhenevskogo Str., Minsk, 220108, Belarus; *and* 137 Brestskaya Str., Pinsk, Brest region, 225710, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR). This license requirement may be overcome by License Exception GOV under § 740.11(b)(2) and (e).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	KGB Alpha, a.k.a., the following three aliases: —the State Security Committee Alpha; —Alpha Group; *and* —Group A. Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Kidma Tech OJSC, a.k.a., the following two aliases: —BSVT–New Technologies; *and* —BSVT–NT. 187 Soltysa Street, Minsk, 220070, Belarus; *and* 5/1 Ustenskiy Selsovyet, Orshanskiy Region, Vitebskaya Oblast, Ag. Ustye, 211003, Belarus.	All items subject to the EAR. See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Minotor-Service, a.k.a., the following one alias: —Industrial-Commercial Private Unitary Enterprise Minotor-Service. 40 Radialnaya St., Minsk, 220070, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Minsk Wheeled Tractor Plant, a.k.a., the following two aliases: —MZKT; *and* —Production Republican Unitary Enterprise Minsk Wheeled Tractor Plant. 150 Partizansky Avenue, Minsk, 220021, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Oboronnye Initsiativy LLC, a.k.a., the following one alias: —LLC Defense Initiatives. 18 1st lane F. Skaryna, Minsk, 220070, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	OJS KB Radar Managing Company, a.k.a., the following two aliases: —JSC KB Radar; *and* —KB Radar. 64A Partizanskyi Prospect, Minsk, 220026, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Peleng JSC, 25 Makaenka St., Minsk, 220114, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	State Authority for Military Industry of the Republic of Belarus, 115 Nezavisimosti Avenue, Minsk, 220114, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	State Security Committee of the Republic of Belarus, 17 Nezavisimosti Avenue, Minsk, 220030, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	The Ministry of Defence of the Republic of Belarus, including the Armed Forces of Belarus and all operating units wherever located. This includes the national armed services (army and air force), as well as the national guard and national police, government intelligence or reconnaissance organizations of the Republic of Belarus. All addresses located in Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Transaviaexport Airlines JSC, 44 Zakhariva Street, Minsk, 220034, Republic of Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Volatavto OJSC, a.k.a., the following one alias: —NPP VOLATauto. 2/1 Kulman St., office 1–143, Minsk, 220013, Belarus; *and* 133 Socialist Street, Slutsk, Minsk Region, 223610, Belarus.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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RUSSIA	5th Shipyard, a.k.a., the following three aliases: —5-y Sudoremontnyy Zavod; —5 SRZ; *and* —JSC GF 5 SRZ JSC TsS Zvezdochka. 67 Lenina Street, Port, Temryuk, Krasnodarskiy Kray, 353500, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Admiralty Shipyard JSC, 203, Fontanka Emb., 190121, St. Petersburg, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12241, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Alagir Resistor Factory, a.k.a., the following one alias: —Alagirsky Resistor Factory. 202 L. Tolstogo Street, Alagir, Alagirsky District, Severnaya Ossetia-Alania Republic, Russia, 363240.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Aleksandrov Scientific Research Technological Institute NITI, Koporskoe Highway, House 72, Sosnovy Bor, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	All-Russian Scientific-Research Institute Etalon JSC, a.k.a., the following one alias: —VNII Etalon JSC. 19/1 1st Yamskogo Polya St., Moscow, 125124, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Almaz JSC, a.k.a., the following one alias: —Almaz. 16 Tupoleva Street, Rostov-na-Donu, Rostovskaya Oblast, 344093, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Argut OOO, 6 Mnevniki str end 6 fl, Moscow 123308, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	Federal Register citation
	Communication Center of the Ministry of Defence, Bolshoi Znamenskiy per. 21, Moscow, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Dolgoprudniy Design Bureau of Automatics, a.k.a., the following three aliases: —DKBA JSC; —Dolgoprudny; *and* —Dolgoprudno Design Bureau of Automation. Lyotnaya Street, Dolgoprudniy, Moskovskaya Oblast, 141700, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Electronic Computing Technology Scientific-Research Center, a.k.a., the following one alias: —NICEVEY. 125 Varshavskoye Highway, Moscow, 117587, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Electrosignal JSC, Electrosignalnaya Street, Voronezh, Voronezhskaya Oblast, 394026, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Federal Research Center Boreskov Institute of Catalysis, pr. Lavrentieva 5, Novosibirsk 630090, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Federal Security Service (FSB), a.k.a., the following one alias: —Federalnaya Sluzhba Bezopasnosti. Ulitsa Kuznetskiy Most, Dom 22, Moscow 107031, Russia; *and* Lubyanskaya Ploschad, Dom 2, Moscow 107031, Russia.	All items subject to the EAR, apart from items that are related to transactions that are authorized by the Department of the Treasury's Office of Foreign Assets Control pursuant to General License No. 1B of March 2, 2021. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial. See §§ 746.8(b) and 744.21(e).	82 FR 724, 1/4/17. 82 FR 18219, 4/18/17. 86 FR 37903, 7/19/21. 87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Federal State Budgetary Enterprise of the Administration of the President of Russia, 1-ya Reysovaya Street, 1, Moscow 119027, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Federal State Budgetary Enterprise Special Flight Unit Rossiya of the Administration of the President of Russia, 1-ya Reysovaya Street, 1, Moscow 119027, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Federal State Unitary Enterprise Dukhov Automatics Research Institute (VNIIA), 22, Sushchevskaya UI, Moscow 127055RU.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Foreign Intelligence Service (SVR), Yasenevo 11 Kolpachny, Moscow, 0101000.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	**Federal Register** citation
	Forensic Center of Nizhniy Novgorod Region Main Directorate of the Ministry of Interior Affairs, Gorkiy Street, 71, Nizhniy Novgorod 603950, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Inteltech PJSC, a.k.a., the following three aliases: —Information Telecommunications Technology PJSC; —Inteltech; *and* —Inteltekh. Electrosignalnaya Street, Voronezh, Voronezhskaya Oblast, 394026, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	International Center for Quantum Optics and Quantum Technologies LLC, a.k.a., the following two aliases: —Russian Quantum Center *and* —RQC. Business-center ''Ural,'' 100 Novaya Street, Skolkovo, Moscow, 143025, Russia; *and* 30 Bolshoy Blvd, Bldg 1, Moscow, 121205, Russia; *and* 100A Novaya Street, Skolkovo, Odintsovsky District, Moscow, 143025, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Irkut Corporation, Leningradsky Prospect 68, Moscow 125315, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Irkut Research and Production Corporation Public Joint Stock Company, 68 Leningradsky Prospect, Moscow 125315, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Joint Stock Company NPO Elektromechaniki, a.k.a., the following one alias: —JSC Scientific and Production Association of Electro Mechanic. 31 Mendeleeva street, Miass, Chelyabinsk Region, 456320, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Joint Stock Company Scientific Research Institute of Computing Machinery, Melnichnaya Street, 31, Kirov 610025, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	JSC Central Research Institute of Machine Building (JSC TsNIIMash), Pionerskaya Street, 4, korpus 22, Moskovskaya obl., Korolov 141070, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	JSC Kazan Helicopter Plant Repair Service, a.k.a., the following two aliases: —Kazanski Vertoletny Zavod Remservis; *and* —KVZ Remservis. Ulitsa Tetsevskaya 14, Kazan, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	Federal Register citation
	JSC Rocket and Space Centre—Progress, Zemetsa Street 18, Samarskaya Oblast, Samara 443009, Russia.	All items subject to the EAR. See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR). This license requirement may be overcome by License Exception GOV under § 740.11(b)(2) and (e).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Kamensk-Uralsky Metallurgical Works J.S. Co. 5 Zavodskaya St., Kamensk Uralsky, 623405 Sverdlovsk region, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Kazan Helicopter Plant PJSC, Tetsevskaya St, Kazan 420085, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Komsomolsk-na-Amur Aviation Production Organization (KNAAPO), 1 Sovetskaya Street, Komsomolsk-on-Amur, Khabarovsky Krai, Russia 618018.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Kulon Scientific-Research Institute JSC, a.k.a., the following one alias: —NII Kulon JSC. 14 Murmankiv proezd, Moscow, 129075, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Lutch Design Office JSC, a.k.a., the following three aliases: —Lutch Design Bureau JCS; —Lutch JSC; *and* —KB-Lutch. 25 Pobeda Blvd. Rybinsk, Yaroslavskaya Oblast, 152920, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Main Intelligence Directorate, a.k.a., the following three aliases —Glavnoe Razvedyvatel'noe Upravlenie; —GRU; *and* —Main Intelligence Department. Khoroshevskoye Shosse 76, Khodinka, Moscow, Russia; *and* Ministry of Defence of the Russian Federation, Frunzenskaya nab., 22/2, Moscow 119160, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial. See §§ 746.8(b) and 744.21(e).	82 FR 724, 1/4/17. 87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Meteor Plant JSC, 1 Gorky St., Volzhkiy, Volgograd Oblast, 404130, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Ministry of Defence of the Russian Federation, including the Armed Forces of Russia and all operating units wherever located. This includes the national armed services (army, navy, marine, air force, or coast guard), as well as the national guard and national police, government intelligence or reconnaissance organizations of the Russian Federation. All address located in Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR). The license requirements under this entry also extend to any export, reexport and transfer (in-country) to the entity wherever located worldwide.	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	**Federal Register** citation
	Moscow Communications Research Institute JSC, a.k.a., the following one alias: —MNIIS JSC. 34 Kutuzovsky prospect, Moscow, Russia, 121170; *and* 3/2 Kirovogradsky proezd, Moscow, 109044, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Moscow Institute of Physics and Technology, a.k.a., the following two aliases: —MIPT; *and* —MFTI. Dolgoprudny Campus: 9 Institutskiy per., Dolgoprudny, Moscow Region 141701, Russia; *and* Zhukovsky Campus: Ulitsa Gagarina 16, Zhukovsky, Moscow Region 140180, Russia; *and* Moscow Campus 1 Stroyeniye 1, Klimentovsky Pereulok, Moscow Region 115184, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Moscow Order of the Red Banner of Labor Research Radio Engineering Institute JSC, a.k.a., the following one alias: —MNIRTI JSC. 2/1 Boshoy Trehsvyatitelskiy per., Moscow, 109028, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	NPO High Precision Systems JSC, Kievskaya Street 7, Moscow, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	NPO Splav JSC, 33 ul. Shcheglov Kaya Zaseka Tula, 300004 Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Oboronprom OJSC, 29/141 Vereiskaya Street, Moscow, 121357 Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Omsk Production Union Irtysh JSC, a.k.a., the following one alias: —OmPO Irtysh. 18 Gurt'yeva St., Omsk, 644060, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Omsk Scientific-Research Institute of Instrument Engineering JSC, a.k.a., the following one alias: —JSC ONIP. 231 Maslennikova St., Omsk, 644009, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Optron JSC, 53 Sherbakovskaya St., Office 37, Moscow, 105187, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	PJSC Beriev Aircraft Company, 1 Aviatorov Square, Taganrog 347923, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	Federal Register citation
	PJSC Irkut Corporation, Regional Aircraft 26 Leninskaya Sloboda, Moscow 115280, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	PJSC Kazan Helicopters, Tetsevskaya Street, 14, Kazan, Tatarstan Republic 420085, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Polyot Chelyabinsk Radio Plant JSC, a.k.a., the following one alias: —ChRZ Polyot (flight) JSC. 6 Ternopol'skaya St., Chelyabinsk, 454126, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	POLYUS Research Institute of M.F. Stelmakh Joint Stock Company, Building 1, 3 Vvedenskogo Street, Moscow, 117342, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Promtech-Dubna, JSC, Programmistov st., 4, room 364, Dubna, Moscow 141983, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Pskov Distance Communications Equipment Plant, a.k.a., the following two aliases: —Pskov Plant ADS JSC; *and* —Pskov Distance Communications Equipment (ADS) Plant JSC. 4 Yuri Gagarin Street, Pskov, Pskovskaya Oblast, 180004, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Public Joint Stock Company United Aircraft Corporation, Bolshaya Pionerskaya, Moscow 115054, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Radiotechnical and Information Systems (RTI) Concern, 127083, Moscow, 8 marta, 10/1 Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Radiozavod JSC, 1 Baydukova Street, Penza, Penzenskaya Oblast, 440015, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Rapart Services LLC, Aeroportovskaya str. 6/2, Solnechnogorskiy region, Dubrobki, 141580, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	**Federal Register** citation
	Razryad JSC, 233 Kosta Avenue, Vladikavkaz, Severnaya Ossetia-Alania Republic, 362035, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Research Production Association Mars, a.k.a., the following two aliases: —RPA Mars; *and* —NPO Mars. 20 Solnechnaya Street, Ulyanovsk, 432022, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Rosoboronexport OJSC (ROE), Strada Strominka 27, Moscow, 107076, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Rostec (Russian Technologies State Corporation), 24 Usacheva Street, Moscow, Russia, 119048.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Rostekh—Azimuth, Building 2, 5 Suite X, Room 15, Floor 2, Narishkinskaya Alleya, Moscow, 125167, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Russian Aircraft Corporation MiG, Leningradskoe highway, 6, building 1, Moscow, 125171, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Russian Helicopters JSC, Bolshaya Pionerskaya, 1, Moscow, 123610, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12241, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Ryazan Radio-Plant, 11 Lermontova Street, Ryazan, Ryazanskaya Oblast, 390023, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Scientific-Production Association and Scientific-Research Institute of Radio-Components, a.k.a., the following one alias: —NIIRK. 3 Krymsky Val Street, Building 1, Office 1, Moscow, 119049, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Scientific-Production Enterprise Almaz JSC, a.k.a., the following one alias: —JSC NPP Almaz. 1 I.V. Panfilov St., Saratov, 410033, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	Federal Register citation
	Scientific-Production Enterprise ''Kant'', a.k.a., the following two aliases: —Kant; *and* —NPP Kant. 12 Talalikhina Street, Floor 7, Moscow, 109316, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific Production Enterprise ''Radiosviaz'', a.k.a., the following one alias: —Radiosviaz. 19 Dekabristov Street, Krasnoyarsk, 660021, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific-Production Enterprise ''Svyaz'', a.k.a., the following two aliases: —Svyaz; *and* —NPP Svyaz. 19 Shkolnaya Street, Yasnaya Polyana Village, Shekinsky District, Tulskaya Oblast, 301214, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific-Production Enterprise Volna, a.k.a., the following one alias: —NPP Volna. 26 Varshavskoe Highway, Moscow, 117105, Russia.	All items subject to the EAR. See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific-Production Enterprise Vostok JSC, a.k.a., the following one alias: —JSC NPP Vostok. 276, D. Kovalchuk St., Novosibirsk, 630075, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific-Research Institute ''Argon'', a.k.a., the following two aliases: —Argon Scientific-Research Institute JSC; *and* —NII Argon JSC. 4 Karla Marksa Street, Kaluga, 248000, Russia; *and* 125 Varshavskoe Shosse, Building 1, Moscow, 117587, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific Research Institute Ferrite-Domen, a.k.a., the following two aliases: —NII Domen; *and* —Ferrite-Domen Co. 25/3B Zvetochnaya St., Room 417, St. Petersburg, 196006, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Scientific-Research Institute of Automated Systems and Communications Complexes Neptune JSC, a.k.a., the following one alias: —NII Neptune JSC. 80–1/A, 7th Line of Vasilyavskiy Island, St. Petersburg, 199178, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Scientific Research Institute of Communication Management Systems, a.k.a., the following two aliases: —NIISU; *and* —NIISU JSC. 25/3B Zvetochnaya St., Room 417, St. Petersburg, 196006, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	SP Kvant, a.k.a., the follow three aliases: —Kvant LLC; —Limited Liability Company Joint Venture Quantum Technologies; *and* —Joint Venture Quantum. D. 46, Etazh 6, pom. 600K, Shosse Varshavskoe, Moscow, 115230, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR 13061, 3/8/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Special Design and Technical Bureau for Relay Technology, a.k.a., the following two aliases: —Relay Technology Bureau JSC; *and* —JSCT SKTB RT.55 Nijinsky St., Velikiy Novgorod, 173021, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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Country	Entity	License requirement	License review policy	**Federal Register** citation
	Sukhoi Aviation JSC, Polikarpov str., 23B, Moscow, 125284 Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Sukhoi Civil Aircraft, 1 Sovetskaya Street, Komsomolsk-On-Amur 681018, Russia; *and* 15 Tupoleva Street, OP JSC SCA, Zukhovskiy 140180, Russia; *and* 23b Bld 2 Polikarpova St, Moscow 125824, Russia; *and* 26, Bld. 5, Leninskaya Sloboda Street, Moscow, 115280, Russia; *and* Antonova Avenue 1, Ulianovsk 432072, Russia; *and* Leningradskaya Street 80/4A, Komsomolsk-On-Amur 681007, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12241, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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	Tactical Missile Corporation, 711 Aircraft Repair Plant (711 ARZ), 18 Chkalova Pereulok, Borisoglebsk, Voronezhskaya Oblast, 397171, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, AO GNPP ''Region'', a.k.a., the following three aliases: —GNPP Region, PAO; —Aktsionernoe Obshchestvo ''Gosudarstvennoe Nauchno-Proizvodstvennoe Predpriyatie ''Region,''; *and* —''Region'' Scientific & Production Enterprise JSC. 10 Turaevo I.Z., Lytkarino City, Moscow Region, 140080, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, AO TMKB ''Soyuz'', a.k.a., the following four aliases: —Turaevskoe MKB ''Soyuz''; —Aktsionernoe Obshchestvo Turaevskoe Mashinostroitelnoe Konstruktorskoe Byuro ''Soyuz''; —Soyuz PAO; *and* —JSC ''Turaevskoe Machine-Building Design Bureau ''Soyuz. 10 Turaevo I.Z., Lytkarino City, Moscow Region, 140080, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Azov Optical and Mechanical Plant, a.k.a., the following three aliases: —PPO Azovski Optiko-Mekhanicheski Zavod; —Pervichnaya Profsoyuznaya Organizatsiya ''Azovski Optiko-Mekhanicheski Zavod'' Rossiskogo Profsoyuza Rabotnikov Promyshlennosti;*and* —JSC AOMZ). 5 Promyshlennaya Street, Azov, Rostovskaya Oblast, 346780, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, ''Central Design Bureau of Automation'', a.k.a., the following three aliases: —JSC ''TsKBA''; — AO ''TsKBA''; *and* — Aktsionernoe Obshchestvo ''Tsentralnoe Konstruktorskoe Byuro Avtomatiki''. 24A Kosmicheski Prospekt, Omsk, Omskaya Oblast,44027, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Concern ''MPO—Gidropribor'', a.k.a., the following two aliases: —Joint Stock Company Concern Sea Underwater Weapons Gidropribor; *and* —Research Institute ''Gidropridor''; Central Research Institute ''Gidropribor''. 24, Sampsonievskiy pr., St. Petersburg, 194044, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	Federal Register citation
	Tactical Missile Corporation, Joint Stock Company Avangard, 78 Oktyabrskaya Street, Safonovo, Smolensk region, 215500, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Concern Granit-Electron, 3 Gospitalnaya St, St. Petersburg, 191014, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Elektrotyaga, a.k.a., the following two aliases: —Electric Traction; *and* —ZAO Elekrotjaga. 50–A Kalinina Str, St Petersburg, 198095, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company GosNIIMash, a.k.a., the following five aliases: —PPO Rosprofprom V ''GOSNIIMASH''; —State Research Institute of Mechanical Engineering; —Pervichnaya Profsoyuznaya Organizatsiya Rossiskogo Profsoyuza Rabotnikov Promyshlennosti V ''GOSNIIMASH''; —Joint Stock Company ''State Research Institute of Mechanical Engineering'' named after V.V. Bakhirev''; *and* —SKB DNIKhTI. 11 Sverdlova Prospekt, Dzerzhinsk, Nizhegorodskaya Oblast, 606002, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company PA Strela, a.k.a. the following one alias: —Production Association Strela. 26 Shevchenko str., Orenburg, 460005, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company ''Plant Dagdiesel'', 1 Lenina Street, Kaspiysk, Republic of Dagestan, 368300, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Plant Kulakov, a.k.a., the following one alias: —JSC Plant Named After A.A. Kulakov. 12 Yablochkova Street, St. Petersburg, 197198, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Ravenstvo, a.k.a., the following one alias: —Joint-Stock Company Ravenstvo; Equality. 19 Promyshlennaya Street, St. Petersburg, 198099, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Ravenstvo-service, 19 Promyshlennaya Street, St. Petersburg, 198099, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint-Stock Company ''Research Center for Automated Design, a.k.a., following two aliases: —NIC ASK; *and* —ASK JSC. 37 Leningradsky Prospekt, Room 12, Moscow, 125167, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	Tactical Missile Corporation, Joint Stock Company ''Salute'', a.k.a., the following two aliases: —Salyut, PAO; *and* —Kuibyshev Mechanical Plant. 20 Moskovskoe Shosse, Samara, 443028, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Saratov Radio Instrument Plant, 108 50 Years of October, Saratov, 410040, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation Joint Stock Company ''Scientific Research Institute of Marine Heat Engineering'', a.k.a., the following one alias: —Research Institute of Morteplotehniki. 44 Chernikova Street, Lomonosov, St. Petersburg, 198412, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company Severny Press, a.k.a., the following one alias: —Northern Press. 7 Tallinskaya Street, St. Petersburg, 195196, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company ''State Machine Building Design Bureau ''Vympel'' By Name I.I. Toropov'', a.k.a., the following two aliases: —AO Gos MKB ''Vympel'' named for II Toropov; *and* —Vympel NPO. 90 Voloklamskoe Shosse, Moscow, 125424, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Joint Stock Company ''URALELEMENT'', a.k.a., the following one alias: —Verkhneufalei Plant ''Uralelement''. 24 Dmitrieva St., Verkhny Ufaley, Chelyabinsk region, 456800, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation JSC ''KRASNY GIDROPRESS'', a.k.a., the following five aliases: —Aktsionernoe Obshchestvo ''Krasny Gidropress,''; —Krasny Gidropress, PAO; —Red Hydraulic Press; —Krasny Gidropress JSC; *and* —Taganrog Krasnyy Gidropress Plan. 3 Severnaya Place, Taganrog, Rostovskaya Oblast, 347928, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, KB Mashinostroeniya, a.k.a., the following two aliases: —JSC Research and Production Corporation Design Bureau of Mechanical Engineering; *and* —JSC NPK KBM. 42 Oksky Prospect, Kolomna, Moscow Region, 140402, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, NPO Electromechanics, 31 Mendeleev Street, Chelyabinsk region, 456320, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, NPO Lightning, a.k.a., the following one alias: —Research and Production Association Lightning JSC NPO Molniya. 5K1 Lodochnaya Street, Moscow, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	Federal Register citation
	Tactical Missile Corporation, Petrovsky Electromechanical Plant ''Molot'', 40 Gogol Street, Petrovsk, Saratov Region, 412541, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, PJSC ANPP Temp Avia, a.k.a., the following six aliases —ANPP ''TEMP AVIA''; —Public Joint Stock Company ''Arzamas Research and Production Enterprise''; —TEMP–AVIA; —ANPP TEMP AIR; —Joint Stock Company ''Arzamas Research And Production Enterprise ''TEMP–AVIA''; *and* —Publichnoe Aktsionernoe Obshchestvo ''Arzamasskoe Nauchno-Proizvodstvennoe Predpriyatie ''TEMP–AVIA''. 26 G. Arzamas G.Arzamas. Street, Kirov, Nizhniy Novgorod, 607220 Russia	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22
	Tactical Missile Corporation, PJSC ''MBDB ISKRA'', a.k.a., the following two aliases: —Aktsionernoe Obshchestvo ''Mashinostroitelnoe Konstruktorskoe Byuro ''Iskra'' Imeni Ivana Ivanovicha Kartukova''; *and* —AO MKB ''ISKRA''. 35 Leningradsky Prospekt, Moscow, 125284, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Raduga Design Bureau, a.k.a., the following four aliases: —AO ''GosMKB ''Raduga'' IM. A.Ya.Bereznyaka,''; —Joint Stock Company ''State Machine-Building Design Bureau ''Raduga,''; —MKB Raduga; *and* —GosMKB ''Rainbow'' them. AND I. Bereznyak. 2A Zhukovskogo, Dubna, Moscowvskaya Oblast, 141983, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, RKB Globus, a.k.a., the following two aliases: —JSC Ryazan Design Bureau Globus; *and* —Federal State Unitary Enterprise RKB Globus. 6 Vysokovoltnaya Street, Ryazan, 390013, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Smolensk Aviation Plant, a.k.a., the following one alias: —JSC ''SmAZ''. 74 Frunze Street, Smolensk, 214006, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, TRV Engineering, a.k.a., the following one alias: —Zvezda-Strela Trading House LLC. 2A Ordzhonikidze Street, Korolev, Moscow Region, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Ural Design Bureau ''Detal'', a.k.a., the following four aliases: —Joint-Stock Company ''Ural Design Bureau ''Detal''; —Aktsionernoe Obshchestvo ''Uralskoe Proektno-Konstruktorskoe Byuro ''Detal''; —AO UPKB ''Detal''; *and* —Uralskoe Proektno-Konstruktorskoe Byuro Detal, Pao. 8 Pionerskaya Street, Kamensk-Uralski, Sverdlovskaya Oblast, 623409, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	Tactical Missile Corporation, Zvezda-Strela Limited Liability Company, a.k.a., the following two aliases: —Star Arrow; *and* —Zvezda-Arrow Corporation. 3 Taganrog Severnaya Square, Rostov Region, 347928, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	Tactical Missiles Corporation JSC, Korolevllyicha Street, 7, 141080, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	* *	*	* *	*
	Tupolev JSC, Academician Tupolev Embankment 17, Moscow, 105005, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	* *	*	* *	*
	UEC-Saturn, 163 Lenin Avenue, Rybinsk 152903, Yavoslavl Region, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	* *	*	* *	*
	United Aircraft Corporation, Bolshaya Pionerskaya str., 1, Moscow, 115054, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	United Engine Corporation, 16, Budyonny Avenue, Moscow, 105118 Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.	87 FR 12241, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	United Instrument Manufacturing Corporation, Vereiskaya 29, str. 141, Moscow, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis.	87 FR 12240, 3/3/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
	* *	*	* *	*
	United Shipbuilding Corporation ''Production Association Northern Machine Building Enterprise'', a.k.a., the following one alias: —JSC PO Sevmash. 58 Archangelskoye Shosse, Severodvinsk, Archangelsk Region, 164500, Russia.	All items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR).	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR 20299, 4/7/22. 87 FR [INSERT FR PAGE NUMBER] 6/6/22.
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PART 746—EMBARGOES AND OTHER SPECIAL CONTROLS

■ 10. The authority citation for part 746 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 287c; Sec 1503, Pub. L. 108–11, 117 Stat. 559; 22 U.S.C. 2151 note; 22 U.S.C. 6004; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 614; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13338, 69 FR 26751, 3 CFR, 2004 Comp., p 168; Presidential Determination 2003–23, 68 FR 26459, 3 CFR, 2004 Comp., p. 320; Presidential Determination 2007–7, 72 FR 1899, 3 CFR, 2006 Comp., p. 325; Notice of May 6, 2021, 86 FR 26793 (May 10, 2021).

■ 11. Section 746.6 is amended by revising paragraph (b) to read as follows:

§ 746.6 Crimea Region of Ukraine and Covered Regions of Ukraine.

* * * * *

(b) *License review policy.* With limited exceptions, applications for the export, reexport, or transfer (in-country) of any item that requires a license pursuant to the requirements of this section will be reviewed with a policy of denial. The following types of license applications for licenses required under paragraphs (a)(1) and (2) of this section will be reviewed on a case-by-case basis: applications related to safety of flight; applications related to maritime safety; applications for civil nuclear safety; applications to meet humanitarian needs; applications that support government space cooperation; applications for items destined to wholly-owned U.S. subsidiaries, foreign subsidiaries of U.S. companies that are joint ventures with other U.S. companies, joint ventures of U.S. companies with companies headquartered in countries from Country Group A:5 and A:6 in supplement No. 1 to part 740 of the EAR, the wholly-owned subsidiaries of companies headquartered in countries from Country Group A:5 and A:6 in supplement no. 1 to part 740, joint ventures of companies headquartered in Country Groups A:5 and A:6 with other companies headquartered in Country Groups A:5 and A:6; applications for companies headquartered in the United States or in Country Groups A:5 and A:6 to support civil telecommunications infrastructure; and government-to-government activities. In reviewing such applications, whether the transaction in question would benefit the Russian or Belarusian government or defense sector or would otherwise be detrimental to the country or people of Ukraine are

factors that will be taken into consideration.

* * * * *

■ 12. Section 746.8 is amended by revising paragraphs (a)(3) and (b) to read as follows:

§ 746.8 Sanctions against Russia and Belarus.

(a) * * *

(3) *Foreign-produced ''direct product'' items subject to the EAR under Russia/Belarus-Military End User FDP rule.* Except as described in paragraph (a)(4) of this section, a license is required to reexport, export from abroad, or transfer (in-country) to or within any destination any foreign-produced item subject to the EAR under § 734.9(g) of the EAR.

* * * * *

(b) *Licensing policy.* With limited exceptions, applications for the export, reexport, or transfer (in-country) of any item that requires a license for export or reexport to or transfer pursuant to the requirements of this section will be reviewed with a policy of denial. The following types of license applications for licenses required under paragraphs (a)(1) and (2) of this section will be reviewed on a case-by-case basis: applications related to safety of flight; applications related to maritime safety; applications for civil nuclear safety; applications to meet humanitarian needs; applications that support government space cooperation; applications for items destined to wholly-owned U.S. subsidiaries, foreign subsidiaries of U.S. companies that are joint ventures with other U.S. companies, joint ventures of U.S. companies with companies headquartered in countries from Country Group A:5 and A:6 in supplement No. 1 to part 740 of the EAR, the wholly-owned subsidiaries of companies headquartered in countries from Country Group A:5 and A:6 in supplement No. 1 to part 740, joint ventures of companies headquartered in Country Groups A:5 and A:6 with other companies headquartered in Country Groups A:5 and A:6; applications for companies headquartered in the United States or in Country Groups A:5 and A:6, in support of civil telecommunications infrastructure; and government-to-government activities. In reviewing such applications, whether the transaction in question would benefit the Russian or Belarusian government or defense sector are factors that will be taken into consideration. License applications required under paragraph (a)(3) of this section will be reviewed under a policy of denial in all cases.

* * * * *

■ 13. Supplement No. 2 to part 746 is amended:

■ a. By revising the last sentence of the introductory text,

■ b. By removing the entries for '8421398020,' '8421398030,' and '8421398040', and

■ c. By adding the entries for '8421390120,' '8421390130,' and '8421390140'.

The revision and additions read as follows:

Supplement No. 2 to Part 746—Russian Industry Sector Sanction List

* * * Schedule B numbers 8421390140, 8479899850, and 8705200000 are listed in both this supplement and supplement no. 4 to this part, so exporters, reexporters, and transferors must comply with the license requirements under both § 746.5(a)(1)(i) and (ii) as applicable.

Schedule B	Description
*	*
8421390120	Electrostatic precipitators, industrial gas cleaning equipment.
8421390130	Industrial gas cleaning equipment, NESOI.
8421390140	Gas separation equipment.
*	*

* * * * *

■ 14. Supplement No. 4 to part 746 is amended by revising the second to last sentence of paragraph (a) to read as follows:

Supplement No. 4 to Part 746—HTS Codes and Schedule B Numbers That Require a License for Export, Reexport, and Transfer (In-Country) to or Within Russia Pursuant to § 746.5(a)(1)(ii)

(a) * * * Schedule B numbers 8421390140, 8479899850, and 8705200000 are listed in both this supplement and supplement no. 2 to this part, so exporters, reexporters, and transferors must comply with the license requirements under both § 746.5(a)(1)(i) and (ii) as applicable. * * *

* * * * *

Supplement No. 5 to Part 746 [Amended]

■ 15. Supplement No. 5 to part 746 is amended by removing the text ''$1000 PER UNIT WHOLESALE PRICE IN THE U.S.'' wherever it appears and adding in its place ''GREATER THAN OR EQUAL TO $1000 PER UNIT WHOLESALE PRICE IN THE U.S.''

PART 766—ADMINISTRATIVE ENFORCEMENT PROCEEDINGS

■ 16. The authority citation for part 766 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783.

■ 17. Section 766.20 is amended by revising paragraph (c)(2)(ii) to read as follows:

§ 766.20 Record for decision and availability of documents.

* * * * *

(c) * * *

(2) * * *

(ii) *Other cases.* In all other cases, documents other than charging letters filed on or after June 2, 2022, will be available only after the final administrative disposition of the case. In these cases, parties desiring to restrict access to any portion of the record under paragraph (b) of this section must assert their claim of confidentiality, together with the reasons for supporting the claim, before the close of the proceeding.

Thea D. Rozman Kendler,

Assistant Secretary for Export Administration.

[FR Doc. 2022–11885 Filed 6–2–22; 4:15 pm]

BILLING CODE 3510–JT–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Part 744

[Docket No. 220531–0127]

RIN 0694–AI90

Additions of Entities to the Entity List

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Final rule.

SUMMARY: In response to the Russian Federation's (Russia's) further invasion of Ukraine on February 24, 2022, the Department of Commerce is amending the Export Administration Regulations (EAR) by adding 71 entities under 71 entries to the Entity List. These entities have been determined by the U.S. Government to be acting contrary to the national security interests or foreign policy of the United States and will be listed on the Entity List under the destinations of Belarus and Russia.

DATES: This rule is effective June 2, 2022.

FOR FURTHER INFORMATION CONTACT: Chair, End-User Review Committee, Office of the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, Phone: (202) 482–5991, Email: *ERC@bis.doc.gov*.

SUPPLEMENTARY INFORMATION:

Background

The Entity List (supplement No. 4 to part 744 of the Export Administration Regulations (EAR)) identifies entities for which there is reasonable cause to believe, based on specific and articulable facts, that the entities have been involved, are involved, or pose a significant risk of being or becoming involved in activities contrary to the national security or foreign policy interests of the United States. The EAR (15 CFR parts 730–774) imposes additional license requirements on, and limits the availability of, most license exceptions for exports, reexports, and transfers (in-country) to listed entities. The license review policy for each listed entity is identified in the ''License Review Policy'' column on the Entity List, and the impact on the availability of license exceptions is described in the relevant **Federal Register** document that added the entity to the Entity List. The Bureau of Industry and Security (BIS) places entities on the Entity List pursuant to part 744 (Control Policy: End-User and End-Use Based) and part 746 (Embargoes and Other Special Controls) of the EAR. Paragraphs (b)(1) through (5) of § 744.11 include an illustrative list of activities that could be contrary to the national security or foreign policy interests of the United States. Sixty-six entities are being added in this rule on the basis of §§ 744.11(b) and 744.21 and will receive a footnote 3 designation because the End-User Review Committee (ERC) has determined they are Russian or Belarusian 'military end users' in accordance with § 744.21. A footnote 3 designation subjects these entities to the Russia/Belarus foreign ''direct product'' (FDP) rule, detailed in § 734.9(g). The other five entities are being added solely on the basis of § 744.11(b).

The ERC, composed of representatives of the Departments of Commerce (Chair), State, Defense, Energy and, where appropriate, the Treasury, makes all decisions regarding additions to, removals from, or other modifications to the Entity List. The ERC makes all decisions to add an entry to the Entity List by majority vote and makes all decisions to remove or modify an entry by unanimous vote.

The ERC determined to add the following entity to the Entity List on the basis of §§ 744.11(b) and 744.21 under the destination of Belarus: ''Joint Stock Company Eleron''. In addition, the ERC determined to add the following 65 entities to the Entity List on the basis of §§ 744.11(b) and 744.21 under the destination of Russia: ''AO Rubin,'' ''Branch of AO Company Sukhoi Yuri Gagarin Komsomolsk on Amur Aircraft Plant,'' ''Branch of PAO Il—Aviastar,'' ''Branch of RSK MiG Nizhny Novgorod Aircraft Construction Plant Sokol,'' ''Chkalov Novosibirsk Aviation Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Aeropribor Voskhod,'' ''Concern Radio-Electronic Technologies, Joint Stock Company All Russian Scientific Research Institute Gradient,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Almatyevsk Radiopribor Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Experimental Design Bureau Elektroavtomatika in the name of P.A. Efimov,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Industrial Controls Design Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Kazan Instrument Engineering and Design Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Microtechnology,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Phasotron Scientific Research Institute of Radio Engineering,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Radiopribor,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Ramensk Instrument Engineering Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Research and Production Center SAPSAN,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Rychag,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Enterprise Izmeritel,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Union for Radioelectronics named after V.I. Shimko,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Taganrog Communications Scientific Research Institute,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Urals Instrument Engineering Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Vzlet Engineering Testing Support,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Zhiguli Radio Plant,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Bryansk Special Design Bureau,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Moscow Institute of Electro Mechanics and Automation,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Stavropol Radio Plant Signal,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Techpribor,'' ''Concern Radio-Electronic Technologies, Ramensky Instrument Engineering Plant,'' ''Concern Radio-Electronic Technologies, V.V. Tarasov Avia Avtomatika,'' ''Design Bureau of Chemical Machine Building KBKhM,'' ''Far Eastern Shipbuilding and Ship Repair Center,'' ''Ilyushin Aviation Complex Branch: Myasishcheva Experimental Mechanical Engineering Plant,'' ''Institute of Marine Technology Problems Far East Branch Russian Academy of Sciences,'' ''Irkutsk Aviation Plant,'' ''Joint Stock Company Aerocomposit,'' ''Joint Stock Company Avtomatika,'' ''Joint Stock Company Bryansk Electromechanical Plant,'' ''Joint Stock Company Eleron,'' ''Joint Stock Company Experimental Design Bureau named after A.S. Yakovlev,'' ''Joint Stock Company Federal Research and Production Center Altai,'' ''Joint Stock Company Head Special Design Bureau Prozhektor,'' ''Joint Stock Company Ilyushin Aviation Complex,'' ''Joint Stock Company Lazurit Central Design Bureau,'' ''Joint Stock Company Ramensky Instrument Engineering Plant,'' ''Joint Stock Company Research and Development Enterprise Protek,''

''Joint Stock Company SPMDB Malachite,'' ''Joint Stock Company Votkinsky Zavod,'' ''Kalyazinsky Machine Building Factory—Branch of RSK MiG,'' ''Main Directorate of Deep-Sea Research,'' ''NPP Start,'' ''OAO Radiofizika,'' ''P.A. Voronin Lukhovitsk Aviation Plant, branch of RSK MiG,'' ''Public Joint Stock Company Voronezh Joint Stock Aircraft Company,'' ''Radio Technical Institute named after A. L. Mints,'' ''Russian Federal Nuclear Center—All Russian Research Institute of Experimental Physics,'' ''Shvabe JSC,'' ''Special Technological Center LLC,'' ''St. Petersburg Marine Bureau of Machine Building Malakhit,'' ''St. Petersburg Naval Design Bureau Almaz,'' ''St. Petersburg Shipbuilding Institution Krylov 45,'' ''Strategic Control Posts Corporation,'' ''TsKB MT Rubin,'' ''Vladimir Design Bureau for Radio Communications OJSC,'' ''V.A. Trapeznikov Institute of Control Sciences of Russian Academy of Sciences,'' and ''Voentelecom JSC''.

All of these 66 entities are designated with footnote 3. They are being added to the Entity List consistent with BIS's response to Russia's invasion of Ukraine, which includes restricting Russia's access to items subject to the EAR that allow it to project power and fulfill its strategic ambitions. These 65 Russian entities and one Belarusian entity are being added to the Entity List for acquiring and attempting to acquire U.S.-origin items in support of Russia's military. This activity is contrary to the national security and foreign policy interests of the United States under § 744.11 and these entities qualify as military end users under § 744.21 of the EAR. Their addition to the Entity List and footnote 3 designation means these entities are subject to a license requirement for the export, reexports, exports from abroad (as described under Russia/Belarus foreign ''direct product'' (FDP) rule, § 734.9(g)), or transfers (in-country) of all items subject to the EAR that are destined to these entities. No license exceptions are available for these entities; BIS will review all license applications for these entities under a policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis, per § 744.21(e)(1). This case-by-case review policy reflects a revision to § 744.21(e)(1) set forth in a separate rule, *Export Administration Regulations: Revisions to Russia and Belarus Sanctions and Related Provisions; Other Revisions, Corrections, and Clarifications,* that BIS is issuing and making effective simultaneously with this rule. Among other changes to the EAR, the ''corrections'' rule removes an exemption for food and medicine designated as EAR99 from the license requirement for all items subject to the EAR set forth in § 744.21(b)(1)(ii) and specifies a case-by-case license review policy for Russian and Belarusian 'military end users' set forth in § 744.21(e)(1) with respect to food and medicine designated as EAR99. This case-by-case review policy applies to the 66 entities that are being added to the Entity List as part of this rule.

In addition, the ERC determined to add the following entities to the Entity List on the basis of § 744.11 under the destination of Russia: ''A.A. Kharkevich Institute for Information Transmission Problems (IITP), Russian Academy of Sciences (RAS),'' ''Ak Bars Holding,'' ''Gazprom Neft Shelf,'' ''Special Research Bureau for Automation of Marine Researches Far East Branch Russian Academy of Sciences,'' and ''Systems of Biological Synthesis LLC.'' These entities are being added to the Entity List consistent with BIS's response to Russia's invasion of Ukraine, which includes restricting Russia's access to items subject to the EAR that allow it to project power and fulfill its strategic ambitions. ''A.A. Kharkevich Institute for Information Transmission Problems (IITP), Russian Academy of Sciences (RAS),'' ''Ak Bars Holding,'' ''Gazprom Neft Shelf,'' ''Special Research Bureau for Automation of Marine Researches Far East Branch Russian Academy of Sciences,'' and ''Systems of Biological Synthesis LLC,'' are being added to the Entity List for acquiring and attempting to acquire U.S.-origin items in support of activities contrary to U.S. national security and foreign policy interests. These entities will be added to the Entity List with a license requirement for all items subject to the EAR. BIS will review license applications under a policy of denial, and no license exceptions are available for these entities being added.

For the reasons described above, this final rule adds the following 71 entities under 71 entries to the Entity List and includes, where appropriate, aliases:

Belarus

- Joint Stock Company Eleron.

Russia

- A.A. Kharkevich Institute for Information Transmission Problems (IITP), Russian Academy of Sciences (RAS),
- Ak Bars Holding,
- AO Rubin,
- Branch of AO Company Sukhoi Yuri Gagarin Komsomolsk on Amur Aircraft Plant,
- Branch of PAO Il—Aviastar,
- Branch of RSK MiG Nizhny Novgorod Aircraft Construction Plant Sokol,
- Chkalov Novosibirsk Aviation Plant,
- Concern Radio-Electronic Technologies, Joint Stock Company Aeropribor Voskhod,
- Concern Radio-Electronic Technologies, Joint Stock Company All Russian Scientific Research Institute Gradient,
- Concern Radio-Electronic Technologies, Joint Stock Company Almatyevsk Radiopribor Plant,
- Concern Radio-Electronic Technologies, Joint Stock Company Experimental Design Bureau Elektroavtomatika in the name of P.A. Efimov,
- Concern Radio-Electronic Technologies, Joint Stock Company Industrial Controls Design Bureau,
- Concern Radio-Electronic Technologies, Joint Stock Company Kazan Instrument Engineering and Design Bureau,
- Concern Radio-Electronic Technologies, Joint Stock Company Microtechnology,
- Concern Radio-Electronic Technologies, Joint Stock Company Phasotron Scientific Research Institute of Radio Engineering,
- Concern Radio-Electronic Technologies, Joint Stock Company Radiopribor,
- Concern Radio-Electronic Technologies, Joint Stock Company Ramensk Instrument Engineering Bureau,
- Concern Radio-Electronic Technologies, Joint Stock Company Research and Production Center SAPSAN,
- Concern Radio-Electronic Technologies, Joint Stock Company Rychag,
- Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Enterprise Izmeritel,
- Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Union for Radioelectronics named after V.I. Shimko,
- Concern Radio-Electronic Technologies, Joint Stock Company Taganrog Communications Scientific Research Institute,
- Concern Radio-Electronic Technologies, Joint Stock Company Urals Instrument Engineering Plant,

- Concern Radio-Electronic Technologies, Joint Stock Company Vzlet Engineering Testing Support,
- Concern Radio-Electronic Technologies, Joint Stock Company Zhiguli Radio Plant,
- Concern Radio-Electronic Technologies, Public Joint Stock Company Bryansk Special Design Bureau,
- Concern Radio-Electronic Technologies, Public Joint Stock Company Moscow Institute of Electro Mechanics and Automation,
- Concern Radio-Electronic Technologies, Public Joint Stock Company Stavropol Radio Plant Signal,
- Concern Radio-Electronic Technologies, Public Joint Stock Company Techpribor,
- Concern Radio-Electronic Technologies, Ramensky Instrument Engineering Plant,
- Concern Radio-Electronic Technologies, V.V. Tarasov Avia Avtomatika,
- Design Bureau of Chemical Machine Building KBKhM,
- Far Eastern Shipbuilding and Ship Repair Center,
- Gazprom Neft Shelf,
- Ilyushin Aviation Complex Branch: Myasishcheva Experimental Mechanical Engineering Plant,
- Institute of Marine Technology Problems Far East Branch Russian Academy of Sciences,
- Irkutsk Aviation Plant,
- Joint Stock Company Aerocomposit,
- Joint Stock Company Avtomatika,
- Joint Stock Company Bryansk Electromechanical Plant,
- Joint Stock Company Eleron,
- Joint Stock Company Experimental Design Bureau named after A.S. Yakovlev,
- Joint Stock Company Federal Research and Production Center Altai,
- Joint Stock Company Head Special Design Bureau Prozhektor,
- Joint Stock Company Ilyushin Aviation Complex,
- Joint Stock Company Lazurit Central Design Bureau,
- Joint Stock Company Ramensky Instrument Engineering Plant,
- Joint Stock Company Research and Development Enterprise Protek,
- Joint Stock Company SPMDB Malachite,
- Joint Stock Company Votkinsky Zavod,
- Kalyazinsky Machine Building Factory—Branch of RSK MiG,
- Main Directorate of Deep-Sea Research,
- NPP Start,
- OAO Radiofizika,
- P.A. Voronin Lukhovitsk Aviation Plant, branch of RSK MiG,
- Public Joint Stock Company Voronezh Joint Stock Aircraft Company,
- Radio Technical Institute named after A. L. Mints,
- Russian Federal Nuclear Center—All Russian Research Institute of Experimental Physics,
- Shvabe JSC,
- Special Research Bureau for Automation of Marine Researches Far East Branch Russian Academy of Sciences,
- Special Technological Center LLC,
- St. Petersburg Marine Bureau of Machine Building Malakhit,
- St. Petersburg Naval Design Bureau Almaz,
- St. Petersburg Shipbuilding Institution Krylov 45,
- Strategic Control Posts Corporation,
- Systems of Biological Synthesis LLC.,
- TsKB MT Rubin,
- Vladimir Design Bureau for Radio Communications OJSC,
- V.A. Trapeznikov Institute of Control Sciences of Russian Academy of Sciences, *and*
- Voentelecom JSC.

Savings Clause

For the changes being made in this final rule, shipments of items removed from eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR) as a result of this regulatory action that were en route aboard a carrier to a port of export, reexport, or transfer (in-country), on June 2, 2022, pursuant to actual orders for export, reexport, or transfer (in-country) to or within a foreign destination, may proceed to that destination under the previous eligibility for a License Exception or export, reexport, or transfer (in-country) without a license (NLR).

Export Control Reform Act of 2018

On August 13, 2018, the President signed into law the John S. McCain National Defense Authorization Act for Fiscal Year 2019, which included the Export Control Reform Act of 2018 (ECRA) (50 U.S.C. 4801–4852). ECRA provides the legal basis for BIS's principal authorities and serves as the authority under which BIS issues this rule.

Rulemaking Requirements

1. This rule has been determined to be not significant for purposes of Executive Order 12866.

2. Notwithstanding any other provision of law, no person is required to respond to or be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (PRA), unless that collection of information displays a currently valid Office of Management and Budget (OMB) Control Number. This regulation involves collections previously approved by OMB under control number 0694–0088, Simplified Network Application Processing System, which includes, among other things, license applications and commodity classifications, and carries a burden estimate of 29.6 minutes for a manual or electronic submission for a total burden estimate of 33,133 hours. Total burden hours associated with the PRA and OMB control number 0694–0088 are not expected to increase as a result of this rule.

3. This rule does not contain policies with federalism implications as that term is defined in Executive Order 13132.

4. Pursuant to section 1762 of the Export Control Reform Act of 2018, this action is exempt from the Administrative Procedure Act (5 U.S.C. 553) requirements for notice of proposed rulemaking, opportunity for public participation, and delay in effective date.

5. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by 5 U.S.C. 553, or by any other law, the analytical requirements of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.,* are not applicable. Accordingly, no regulatory flexibility analysis is required and none has been prepared.

List of Subjects in 15 CFR Part 744

Exports, Reporting and recordkeeping requirements, Terrorism.

Accordingly, part 744 of the Export Administration Regulations (15 CFR parts 730–774) is amended as follows:

PART 744—CONTROL POLICY: END-USER AND END-USE BASED

■ 1. The authority citation for 15 CFR part 744 continues to read as follows:

Authority: 50 U.S.C. 4801–4852; 50 U.S.C. 4601 *et seq.;* 50 U.S.C. 1701 *et seq.;* 22 U.S.C. 3201 *et seq.;* 42 U.S.C. 2139a; 22 U.S.C. 7201 *et seq.;* 22 U.S.C. 7210; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p. 208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; Notice of September 15, 2021, 86 FR 52069 (September 17, 2021); Notice of

November 10, 2021, 86 FR 62891 (November 12, 2021).

■ 2. Amend Supplement No. 4 to part 744 by:

■ a. Under BELARUS adding, in alphabetical order, an entry for ''Joint Stock Company Eleron''; and

■ b. Under RUSSIA adding, in alphabetical order, entries for ''A.A. Kharkevich Institute for Information Transmission Problems (IITP), Russian Academy of Sciences (RAS),'' ''Ak Bars Holding,'' ''AO Rubin,'' ''Branch of AO Company Sukhoi Yuri Gagarin Komsomolsk on Amur Aircraft Plant,'' ''Branch of PAO Il—Aviastar,'' ''Branch of RSK MiG Nizhny Novgorod Aircraft Construction Plant Sokol,'' ''Chkalov Novosibirsk Aviation Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Aeropribor Voskhod,'' ''Concern Radio-Electronic Technologies, Joint Stock Company All Russian Scientific Research Institute Gradient,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Almatyevsk Radiopribor Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Experimental Design Bureau Elektroavtomatika in the name of P.A. Efimov,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Industrial Controls Design Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Kazan Instrument Engineering and Design Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Microtechnology,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Phasotron Scientific Research Institute of Radio Engineering,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Radiopribor,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Ramensk Instrument Engineering Bureau,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Research and Production Center SAPSAN,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Rychag,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Enterprise Izmeritel,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Union for Radioelectronics named after V.I. Shimko,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Taganrog Communications Scientific Research Institute,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Urals Instrument Engineering Plant,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Vzlet Engineering Testing Support,'' ''Concern Radio-Electronic Technologies, Joint Stock Company Zhiguli Radio Plant,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Bryansk Special Design Bureau,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Moscow Institute of Electro Mechanics and Automation,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Stavropol Radio Plant Signal,'' ''Concern Radio-Electronic Technologies, Public Joint Stock Company Techpribor,'' ''Concern Radio-Electronic Technologies, Ramensky Instrument Engineering Plant,'' ''Concern Radio-Electronic Technologies, V.V. Tarasov Avia Avtomatika,'' ''Design Bureau of Chemical Machine Building KBKhM,'' ''Far Eastern Shipbuilding and Ship Repair Center,'' ''Gazprom Neft Shelf,'' ''Ilyushin Aviation Complex Branch: Myasishcheva Experimental Mechanical Engineering Plant,'' ''Institute of Marine Technology Problems Far East Branch Russian Academy of Sciences,'' ''Irkutsk Aviation Plant,'' ''Joint Stock Company Aerocomposit,'' ''Joint Stock Company Avtomatika,'' ''Joint Stock Company Bryansk Electromechanical Plant,'' ''Joint Stock Company Eleron,'' ''Joint Stock Company Experimental Design Bureau named after A.S. Yakovlev,'' ''Joint Stock Company Federal Research and Production Center Altai,'' ''Joint Stock Company Head Special Design Bureau Prozhektor,'' ''Joint Stock Company Ilyushin Aviation Complex,'' ''Joint Stock Company Lazurit Central Design Bureau,'' ''Joint Stock Company Ramensky Instrument Engineering Plant,'' ''Joint Stock Company Research and Development Enterprise Protek,'' ''Joint Stock Company SPMDB Malachite,'' ''Joint Stock Company Votkinsky Zavod,'' ''Kalyazinsky Machine Building Factory—Branch of RSK MiG,'' ''Main Directorate of Deep-Sea Research,'' ''NPP Start,'' ''OAO Radiofizika,'' ''P.A. Voronin Lukhovitsk Aviation Plant, branch of RSK MiG,'' ''Public Joint Stock Company Voronezh Joint Stock Aircraft Company,'' ''Radio Technical Institute named after A.L. Mints,'' ''Russian Federal Nuclear Center—All Russian Research Institute of Experimental Physics,'' ''Shvabe JSC,'' ''Special Research Bureau for Automation of Marine Researches Far East Branch Russian Academy of Sciences,'' ''Special Technological Center LLC,'' ''St. Petersburg Marine Bureau of Machine Building Malakhit,'' ''St. Petersburg Naval Design Bureau Almaz,'' ''St. Petersburg Shipbuilding Institution Krylov 45,'' ''Strategic Control Posts Corporation,'' ''Systems of Biological Synthesis LLC.,'' ''TsKB MT Rubin,'' ''V.A. Trapeznikov Institute of Control Sciences of Russian Academy of Sciences,'' ''Vladimir Design Bureau for Radio Communications OJSC,'' ''Voentelecom JSC''.

The additions read as follows:

Supplement No. 4 to Part 744—Entity List

* * * * *

Country	Entity	License requirement	License review policy	**Federal Register** citation
BELARUS	Joint Stock Company Eleron, a.k.a., the following two aliases: —JSC FCS&HT ''SNPO ''Eleron''; *and* —SNPO Eleron. 11 Kalinina Per., Minsk, 220012, Belarus.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
*	* *	*	* *	*
RUSSIA	* *	*	* *	*
	A.A. Kharkevich Institute for Information Transmission Problems (IITP), Russian Academy of Sciences (RAS), a.k.a., the following two aliases: —Institute for Information Transmission Problems; *and* —Institut Problem Peredachi Informatsii RAN.	For all items subject to the EAR (See § 744.11 of the EAR).	Policy of Denial	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	19 Bolshoi Karetny, building 1, Moscow, Russia, 127051.			
	* *	*	* *	*
	Ak Bars Holding, a.k.a., the following one alias: —Holding Company Ak Bars. 58a Korolenko St., Kazan, Republic of Tatarstan, Russia, 420094.	For all items subject to the EAR (See § 744.11 of the EAR).	Policy of Denial	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	* *	*	* *	*
	AO Rubin, a.k.a., the following one alias: —Aktsionernoe Obshchestvo Rubin, Rubin ZAO. 8 11 Line of Vasilievsky Island, St. Petersburg, 199034, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	* *	*	* *	*
	Branch of AO Company Sukhoi Yuri Gagarin Komsomolsk on Amur Aircraft Plant, a.k.a., the following two aliases: —KNAAZ; *and* —Aviation Holding Company AKhK24912 Sukhoi. 5 Skakovaya Street, Building 3, Moscow, 125040, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Branch of PAO Il—Aviastar, a.k.a., the following one alias: —Aviastar-SP. 1 Prospect Antonova, Ulyanovsk, Ulanovsk Oblast, 432072, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Branch of RSK MiG Nizhny Novgorod Aircraft Construction Plant Sokol, a.k.a., the following one alias: —NAZ Sokol. 1 Chaadaeva Street, Nizhny Novgorod, Nizhny Novgorod Oblast, 603035, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	* *	*	* *	*
	Chkalov Novosibirsk Aviation Plant, a.k.a., the following two aliases: —NAZ; *and* —Aviation Holding Company AKhK Sukhoi. 15 Polzunova Street, Novosibirsk, Novosibirsk Oblast, 630051, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Concern Radio-Electronic Technologies, Joint Stock Company Aeropribor Voskhod, a.k.a., the following one alias: —AP-Voskhod. 19 Tkatskaya Street, 4th Floor, Room 400, Moscow, 105318, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company All Russian Scientific Research Institute Gradient, a.k.a., the following one alias: —VNII Gradient. 96 Sokolov Prospect, Roston-on-Don, 344010, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Almatyevsk Radiopribor Plant, a.k.a., the following two aliases: —JSC AZRP; *and* —Alzar. 2 Stroiteley Prspect, Almatyevsk, Almetyevsk, Region, Republic of Tatarstan, 423461, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Experimental Design Bureau Elektroavtomatika in the name of P.A. Efimov, a.k.a., the following one alias: —AO OKB Elektroavtomatika. 40 Marshal Govorov, Saint Petersburg, 198095, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.

Country	Entity	License requirement	License review policy	Federal Register citation
	Concern Radio-Electronic Technologies, Joint Stock Company Industrial Controls Design Bureau, a.k.a., the following two aliases: —KBPA; *and* —Design Bureau for Industrial Automatics. 239 Bolshaya Sadovaya Street, Saratov, Saratov Oblast, 410005, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Kazan Instrument Engineering and Design Bureau, a.k.a., the following one alias: —KPKB. Sibirsky Trakt Street, Kazan, Republic of Tartarstan, 420061, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Microtechnology, a.k.a., the following one alias: —JSC Microtechnology. 44 Pioneer Street, Saint Petersburg, 197110, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Phasotron Scientific Research Institute of Radio Engineering, a.k.a., the following one alias: —Phasotron NIIR. 59 Kavkazky Boulevard, Floor 3, Space XIV, Room 21, Moscow, 115516, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Radiopribor, a.k.a., the following one alias: —Radiopribor. 2 Fatkulina Street, Kazan, Republic of Tartarstan, 420021.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Ramensk Instrument Engineering Bureau, a.k.a., the following one alias: —RPKB. 2 Guriev Street, Ramensk, Moscow Oblast, 140103, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Research and Production Center SAPSAN, a.k.a., the following one alias: —NPTs SAPSAN. 25 Avtozavodskaya Street, Room 2, Moscow, 115280, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Rychag, a.k.a., the following one alias: —Rychag. 37 Lipatova Street, Kazan, Republic of Tatarstan, 420075, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Enterprise Izmeritel, a.k.a., the following one alias: —NPP Izmeritel. 5 Babushkina Street, Smolensk, Smolensk Oblast, 214031, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Scientific Production Union for Radioelectronics named after V.I. Shimko, a.k.a., the following one alias: —NPO Radioelectronics N.A. V.I. Shimko. 50 Journalists Street, Republic of Tartarstan, 420029, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Taganrog Communications Scientific Research Institute, a.k.a., the following one alias: —TNIIS. 3 Sedova Street, Taganrog, Rostov Oblast, 347913, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	Concern Radio-Electronic Technologies, Joint Stock Company Urals Instrument Engineering Plant, a.k.a., the following one alias: —JSC UPZ. 25 Km Tract Street, Chelyabinsk, Svertsky, Sverdlovsk Oblast, 624000, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Vzlet Engineering Testing Support, a.k.a., the following one alias: —ISI Vzlet. ISI Vzlet Room, Aktyubinsk-7, Aktyubinsk Region, Astrakhan Oblast, 476507, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Joint Stock Company Zhiguli Radio Plant, a.k.a., the following one alias: —ZhRZ. 1 Radiozavod Street, Zhigulevsk, Samara Oblast, 44539, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Public Joint Stock Company Bryansk Special Design Bureau, a.k.a., the following one alias: —BEMZ 136 Vokzalnaya Street, Bryansk, 241017, Russia	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Public Joint Stock Company Moscow Institute of Electro Mechanics and Automation, a.k.a., the following one alias: —PAO MIEA. 5 Aviation Pereulok, Moscow, 125167, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Public Joint Stock Company Stavropol Radio Plant Signal, a.k.a., the following one alias: —Signal Radio Plant. 9A 2nd Yugo-Zapadny Proezd, Stavropol, Stavropol Krai, 355037.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Public Joint Stock Company Techpribor, a.k.a., the following one alias: —Techpribor. 5A Varshavskaya Street, Saint Petersburg, 196128, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, Ramensky Instrument Engineering Plant, a.k.a., the following one alias: —Ramensky Instrument-Engineering Plant. 39 Mikhalevicha Street, Room 20, Floor 2, Space 124, Ramensk, Moscow Oblast, 140100, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Concern Radio-Electronic Technologies, V.V. Tarasov Avia Avtomatika, a.k.a., the following two aliases: —Kursk Open Joint Stock Company Kursk Pribor; *and* —Kursk Pribor. 47 Zapolnaya Street, Kursk, 305040, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Design Bureau of Chemical Machine Building KBKhM, a.k.a., the following two aliases: —A.M. Isayev Chemical Engineering Design Bureau; *and* —KB KhimMash. 12 Bogomolova St., Podlipki, Korolyev, Moscow oblast, 141070, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Far Eastern Shipbuilding and Ship Repair Center, a.k.a., the following one alias: —DTSSS, AO. 72 Svetlanskaya Street, Vladivostok, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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Country	Entity	License requirement	License review policy	Federal Register citation
	Gazprom Neft Shelf, the following one alias: —Sevmorneftegaz. 8 Lesteva Street, Moscow, 115162, Russia; *and* 31 I.M. V.I. Lenina Street, Naryan-Mar, Nenetski Autonomous District 166000, Russia; *and* 19 Karla Marksa, Murmansk, Murmanskaya Oblast, 183025, Russia; *and* 38/4 Prospect Nevski, Saint Petersburg, 191036, Russia.	For all items subject to the EAR (See § 744.11 of the EAR).	Policy of Denial	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Ilyushin Aviation Complex Branch: Myasishcheva Experimental Mechanical Engineering Plant, a.k.a., the following one alias: —Myasishcheva EMZ. 7 Narkomvod Street, Zhukovsky, Moscow Oblast, 140180, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Institute of Marine Technology Problems Far East Branch Russian Academy of Sciences, a.k.a., the following one alias: —IPMT FEB RAS. 5A Sukhanov Street, Vladivostok, 690091, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Irkutsk Aviation Plant, 3 Novatorov Street, Irkutsk, 664020, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Joint Stock Company Aerocomposit, a.k.a., the following one alias: —Aerocomposit. 47 Leningrad Prospect, Building 2, Moscow, 125167, Russia; *and* 23B Polikarpova Street, Room 2, Moscow, 125284, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Joint Stock Company Avtomatika, a.k.a., the following one alias: —Avtomatika. 113G Svetlanskaya Street, Vladivostok, Primorsk Krai, 690001, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Bryansk Electromechanical Plant, a.k.a., the following one alias: —BEMZ. 136 Vokzalnaya Street, Bryansk, 241017, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Eleron, a.k.a., the following two aliases: —JSC FCS&HT SNPO Eleron *and* —SNPO Eleron. 55 Dibunovskaya St., St. Petersburg, 197183, Russia; *and* 14 Generala Belova St., Moscow, 115563, Russia; *and* 11 Oktyabrskava St., Ozersk, Chelyabinsk Region, 456780, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Experimental Design Bureau named after A.S. Yakovlev, a.k.a., the following one alias: —A.S. Yakovlev EDB. 68 Leningrad Prospect, Moscow, 12531568, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Federal Research and Production Center Altai, 1 Socialist Street, Biysk, Altai Territory, 659322, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	Joint Stock Company Head Special Design Bureau Prozhektor, 56 Highway Enthusiasts, Moscow, 111123, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Ilyushin Aviation Complex, a.k.a., the following one alias: —PAO Ilyushin. 45G Leningrad Prospect, Moscow, 125190, Russia; *and* 2 Tupolev Street, Zhukovsky, Moscow Oblast, 140185, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Lazurit Central Design Bureau, a.k.a., the following one alias: —Aktsionernoe Obshchestvo Tsentralnoe Konstruktorskoe Byuro Lazurit. 57 Svoboda Street, Nizhny Novgorod, 603951, Russia; *and* 25H, 29H, Building 6/2, Lit. A, Ligovsky Prospect, Saint Petersburg, 191036, Russia; *and* 72 Svetlanskaya Street, Vladivostok, Primorsky Territory, 690091, Russia; *and* 1 Lebedva Street, Bolshoy Kamen, Primorsky Territory, 692801, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Ramensky Instrument Engineering Plant, a.k.a., the following one alias: —Ramensky Instrument-Engineering Plant. 39 Mikhalevicha Street, Room 20, Floor 2, Space 124, Ramensk, Moscow Oblast, 140100, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Research and Development Enterprise Protek, a.k.a., the following one alias: —JSC NVP Protek. 6 Basic St., Voronezh, 394028, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company SPMDB Malachite, a.k.a., the following one alias: —Sankt-Peterburgskoe Morskoe Byuro Mashinostroeniya Malakhit, PAO. 18 Frunze Street, Saint Petersburg, 196135, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Joint Stock Company Votkinsky Zavod, 2 Kirova Street, Votkinsk, Udmurt Republic, 427430, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Kalyazinsky Machine Building Factory—Branch of RSK MiG, 5 Industrialnaya Ultisa, Kalyazin, Tver Oblast, 171573, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Main Directorate of Deep-Sea Research, a.k.a., the following three aliases: —GUGI; —Hydrographic Service of the Navy; *and* —Department of Navigation and Oceanography of the Ministry of Defense of the Russian Federation. 8, 11 line of Vasilievsky Island, St. Petersburg, 199034 Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	NPP Start, a.k.a., the following one alias: —NPP Start AE Yaskina. 24 Pribaltiskaya St., Yekaterinburg, 620007, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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Country	Entity	License requirement	License review policy	Federal Register citation
	OAO Radiofizika, a.k.a., the following one alias: —PJSC Radiophysics. 10 Geroyev Panfilov St., Moscow, 125363, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	P.A. Voronin Lukhovitsk Aviation Plant, branch of RSK MiG, a.k.a., the following one alias: —LAZ. Lukhovitsy District, Moscow Region, 140500, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Public Joint Stock Company Voronezh Joint Stock Aircraft Company, a.k.a., the following one alias: —VASO. 27 Tsiolkovsk Street, Vornezh, 394029, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Radio Technical Institute named after A. L. Mints, a.k.a., the following two aliases: —Academician A.L. Mints Radiotechnical Institute; *and* —Mints Radio-Technical Institute. 10/1 8th March St., North Administrative Okrug, Moscow, 127083, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Russian Federal Nuclear Center—All-Russian Research Institute of Experimental Physics, a.k.a., the following four aliases: —NIIIS; —Sedakova Research Institute of Measuring Systems; —NIIIS Named After Yu.E. Sedakov; *and* —RFNC–VNIIEF. Box No. 486, Nizhny Novgorod, Russia, 603951; *and* 47 Tropinina St., Nizhny Novgorod, 603137, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Shvabe JSC, a.k.a., the following one alias: —Shvabe. 176 Mira Prospekt, Moscow, 129366, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Special Research Bureau for Automation of Marine Researches Far East Branch Russian Academy of Sciences, a.k.a., the following one alias: —SKB SAMI DVO RAN. 25 Alekseya Maksimovicha Gorkogo, Yuzhno-Sakhalinsk, Kakhalinskaya Oblast, 693010, Russia.	For all items subject to the EAR (See § 744.11 of the EAR).	Policy of Denial	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Special Technological Center LLC, a.k.a., the following one alias: —OOO STTs. 21B Gzhatskaya St., St. Petersburg, 195220, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	St. Petersburg Marine Bureau of Machine Building Malakhit, a.k.a., the following two aliases: —SPMBM Malakhit; *and* —Malakhit. 18 Frunze St., St. Petersburg, 196135, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	St. Petersburg Naval Design Bureau Almaz, a.k.a., the following two aliases: —JSC TsMKB Almaz; *and* —Almaz Central Marine Design Bureau. 50 Varshavskaya, St. Petersburg, 196128, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.

Country	Entity	License requirement	License review policy	**Federal Register** citation
	St. Petersburg Shipbuilding Institution Krylov 45, a.k.a., the following one alias: —Krylov State Research Center. 44 Moskovskoe Highway, St. Petersburg, Russia, 196158.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Strategic Control Posts Corporation, a.k.a., the following two aliases: —Central Design Bureau of Heavy Machine Building SPU TsKB TM; *and* —JSC Corporation SPU–CCB TM. 12A Vozvodnaya St., Moscow, 111024, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	Systems of Biological Synthesis LLC., a.k.a., the following three aliases: —Sistemy Biologicheskogo Sinteza; —OOO SBS; *and* —SBS LLC. Akademika Koroleva Street, Building 13/1, Office 35–39, Moscow, 129515, Russia.	For all items subject to the EAR (See § 744.11 of the EAR).	Policy of Denial	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	TsKB MT Rubin, a.k.a., the following two aliases: —Tsentralnoe Konstruktorskoe Byuro Morskoi Tekhniki Rubin; *and* —The Rubin Central Design Bureau for Marine Engineering. 90 Marata Street, Saint Petersburg, 191119, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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	V.A. Trapeznikov Institute of Control Sciences of Russian Academy of Sciences, a.k.a., the following two aliases: —ICS RAS; *and* —IPU RAS. 65 Profsoyuznaya Street, Business Center Vozdvizhenka Center Voentorg, Moscow, 117997, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Vladimir Design Bureau for Radio Communications OJSC, a.k.a., the following one alias: —VKBR. 28 Baturina St., Vladimir, Vladimirskaya oblast, 600017, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
	Voentelecom JSC, 15A/1 Bolshaya Olenya St., Moscow, 107014, Russia.	For all items subject to the EAR. (See §§ 734.9(g),[3] 746.8(a)(3), and 744.21(b) of the EAR.)	Policy of denial for all items subject to the EAR apart from food and medicine designated as EAR99, which will be reviewed on a case-by-case basis. See §§ 746.8(b) and 744.21(e).	87 FR [INSERT FR PAGE NUMBER] 6/6/2022.
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Thea D. Rozman Kendler,

Assistant Secretary for Export Administration.

[FR Doc. 2022–12144 Filed 6–2–22; 4:15 pm]

BILLING CODE 3510–JT–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 876

[Docket No. FDA–2022–N–0790]

Medical Devices; Gastroenterology-Urology Devices; Classification of the Non-Implanted Electrical Stimulation Device for Management of Premature Ejaculation

AGENCY: Food and Drug Administration, HHS.

ACTION: Final amendment; final order.

SUMMARY: The Food and Drug Administration (FDA, Agency, or we) is classifying the non-implanted electrical stimulation device for management of premature ejaculation into class II (special controls). The special controls that apply to the device type are identified in this order and will be part of the codified language for the non-implanted electrical stimulation device for management of premature ejaculation's classification. We are taking this action because we have determined that classifying the device into class II (special controls) will provide a reasonable assurance of safety and effectiveness of the device. We believe this action will also enhance patients' access to beneficial innovative devices.

DATES: This order is effective June 6, 2022. The classification was applicable on November 23, 2021.

FOR FURTHER INFORMATION CONTACT: Feba Abraham, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 2647, Silver Spring, MD 20993–0002, 307–796–5772, *Feba.Abraham@fda.hhs.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Upon request, FDA has classified the non-implanted electrical stimulation device for management of premature ejaculation as class II (special controls), which we have determined will provide a reasonable assurance of safety and effectiveness. In addition, we believe this action will enhance patients' access to beneficial innovation, in part by placing the device into a lower device class than the automatic class III assignment.

The automatic assignment of class III occurs by operation of law and without any action by FDA, regardless of the level of risk posed by the new device. Any device that was not in commercial distribution before May 28, 1976, is automatically classified as, and remains within, class III and requires premarket approval unless and until FDA takes an action to classify or reclassify the device (see 21 U.S.C. 360c(f)(1)). We refer to these devices as ''postamendments devices'' because they were not in commercial distribution prior to the date of enactment of the Medical Device Amendments of 1976, which amended the Federal Food, Drug, and Cosmetic Act (FD&C Act).

FDA may take a variety of actions in appropriate circumstances to classify or reclassify a device into class I or II. We may issue an order finding a new device to be substantially equivalent under section 513(i) of the FD&C Act (see 21 U.S.C. 360c(i)) to a predicate device that does not require premarket approval. We determine whether a new device is substantially equivalent to a predicate device by means of the procedures for premarket notification under section 510(k) of the FD&C Act (21 U.S.C. 360(k)) and part 807 (21 CFR part 807).

FDA may also classify a device through ''De Novo'' classification, a common name for the process authorized under section 513(f)(2) of the FD&C Act. Section 207 of the Food and Drug Administration Modernization Act of 1997 (Pub. L. 105–115) established the first procedure for De Novo classification. Section 607 of the Food and Drug Administration Safety and Innovation Act (Pub. L. 112–144) modified the De Novo application process by adding a second procedure. A device sponsor may utilize either procedure for De Novo classification.

Under the first procedure, the person submits a 510(k) for a device that has not previously been classified. After receiving an order from FDA classifying the device into class III under section 513(f)(1) of the FD&C Act, the person then requests a classification under section 513(f)(2).

Under the second procedure, rather than first submitting a 510(k) and then a request for classification, if the person determines that there is no legally marketed device upon which to base a determination of substantial equivalence, that person requests a classification under section 513(f)(2) of the FD&C Act.

Under either procedure for De Novo classification, FDA is required to classify the device by written order within 120 days. The classification will be according to the criteria under section 513(a)(1) of the FD&C Act. Although the device was automatically placed within class III, the De Novo classification is considered to be the initial classification of the device.

When FDA classifies a device into class I or II via the De Novo process, the device can serve as a predicate for future devices of that type, including for 510(k)s (see section 513(f)(2)(B)(i) of the FD&C Act). As a result, other device sponsors do not have to submit a De Novo request or premarket approval application to market a substantially equivalent device (see section 513(i) of the FD&C Act, defining ''substantial equivalence''). Instead, sponsors can use the less-burdensome 510(k) process, when necessary, to market their device.

II. De Novo Classification

On March 30, 2021, FDA received Virility Medical's request for De Novo classification of the vPatch. FDA reviewed the request in order to classify the device under the criteria for classification set forth in section 513(a)(1) of the FD&C Act.

We classify devices into class II if general controls by themselves are insufficient to provide reasonable assurance of safety and effectiveness, but there is sufficient information to establish special controls that, in combination with the general controls, provide reasonable assurance of the safety and effectiveness of the device for its intended use (see 21 U.S.C. 360c(a)(1)(B)). After review of the information submitted in the request, we determined that the device can be classified into class II with the establishment of special controls. FDA has determined that these special controls, in addition to the general controls, will provide reasonable assurance of the safety and effectiveness of the device.

Therefore, on November 23, 2021, FDA issued an order to the requester classifying the device into class II. In this final order, FDA is codifying the classification of the device by adding 21 CFR 876.5026.[1] We have named the generic type of device non-implanted electrical stimulation device for management of premature ejaculation, and it is identified as a device intended to be used in patients with premature ejaculation by delivery of electrical stimulation to the perineal muscles and nerves.

FDA has identified the following risks to health associated specifically with this type of device and the measures required to mitigate these risks in table 1.

TABLE 1—NON-IMPLANTED ELECTRICAL STIMULATION DEVICE FOR MANAGEMENT OF PREMATURE EJACULATION RISKS AND MITIGATION MEASURES

Identified risks to health	Mitigation measures
Use error leading to patient pain, discomfort, or injury.	Labeling.
Electrical, mechanical or thermal fault, system malfunction, or other device failure resulting in lack of treatment or patient discomfort/injury (*e.g.,* electrical shock, burn, tissue damage, or interference from other medical devices or electrical equipment).	Non-clinical performance testing; Electrical safety testing; Electromagnetic compatibility testing; Software validation, verification, and hazard analysis; Shelf-life testing; and Labeling.
Adverse tissue reaction.	Biocompatibility evaluation, and Labeling.

FDA has determined that special controls, in combination with the general controls, address these risks to health and provide reasonable assurance of safety and effectiveness. For a device to fall within this classification, and

[1] FDA notes that the ''ACTION'' caption for this final order is styled as ''Final amendment; final order,'' rather than ''Final order.'' Beginning in December 2019, this editorial change was made to indicate that the document ''amends'' the Code of Federal Regulations. The change was made in accordance with the Office of Federal Register's (OFR) interpretations of the Federal Register Act (44 U.S.C. chapter 15), its implementing regulations (1 CFR 5.9 and parts 21 and 22), and the Document Drafting Handbook.

thus avoid automatic classification in class III, it would have to comply with the special controls named in this final order. The necessary special controls appear in the regulation codified by this order. This device is subject to premarket notification requirements under section 510(k) of the FD&C Act.

III. Analysis of Environmental Impact

The Agency has determined under 21 CFR 25.34(b) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

IV. Paperwork Reduction Act of 1995

This final order establishes special controls that refer to previously approved collections of information found in other FDA regulations and guidance. These collections of information are subject to review by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The collections of information in 21 CFR part 860, subpart D, regarding De Novo classification have been approved under OMB control number 0910–0844; the collections of information in 21 CFR part 814, subparts A through E, regarding premarket approval, have been approved under OMB control number 0910–0231; the collections of information in part 807, subpart E, regarding premarket notification submissions, have been approved under OMB control number 0910–0120; the collections of information in 21 CFR part 820, regarding quality system regulation, have been approved under OMB control number 0910–0073; and the collections of information in 21 CFR part 801, regarding labeling, have been approved under OMB control number 0910–0485.

List of Subjects in 21 CFR Part 876

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 876 is amended as follows:

PART 876—GASTROENTEROLOGY–UROLOGY DEVICES

■ 1. The authority citation for part 876 continues to read as follows:

Authority: 21 U.S.C. 351, 360, 360c, 360e, 360j, 360l, 371.

■ 2. Add § 876.5026 to subpart F to read as follows:

§ 876.5026 Non-implanted electrical stimulation device for management of premature ejaculation.

(a) *Identification.* A non-implanted electrical stimulation device for management of premature ejaculation is intended to be used in patients with premature ejaculation by delivery of electrical stimulation to the perineal muscles and nerves.

(b) *Classification.* Class II (special controls). The special controls for this device are:

(1) The device must be demonstrated to be biocompatible.

(2) Performance testing must demonstrate the electromagnetic compatibility, electrical safety, and thermal safety of the device.

(3) Non-clinical performance testing must demonstrate that the device performs as intended under anticipated conditions of use. The following performance characteristics must be tested:

(i) Mechanical performance;

(ii) Electrical stimulation parameters; and

(iii) Battery performance.

(4) Performance testing must support shelf life by demonstrating continued device functionality over the identified shelf life.

(5) Software verification, validation, and hazard analysis must be performed.

(6) Labeling must include:

(i) Specific instructions regarding safe placement and correct use of the device;

(ii) Warning(s) against use by patients with active implanted medical devices; and

(iii) A shelf life.

Dated: May 26, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–12082 Filed 6–3–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–568]

Schedules of Controlled Substances: Placement of Methoxetamine (MXE) in Schedule I

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: With the issuance of this final rule, the Drug Enforcement Administration places 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (methoxetamine, MXE), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, in schedule I of the Controlled Substances Act to enable the United States to meet its obligations under the 1971 Convention on Psychotropic Substances. This action imposes the regulatory controls and administrative, civil, and criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis with, or possess), or propose to handle, methoxetamine.

DATES: Effective July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Terrence L. Boos, Drug & Chemical Evaluation Section, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION:

Legal Authority

The United States is a party to the 1971 United Nations Convention on Psychotropic Substances (1971 Convention), February 21, 1971, 32 U.S.T. 543, 1019 U.N.T.S. 175, as amended. Procedures respecting changes in drug schedules under the 1971 Convention are governed domestically by 21 U.S.C. 811(d)(2)–(4). When the United States receives notification of a scheduling decision pursuant to Article 2 of the 1971 Convention indicating that a drug or other substance has been added to a specific schedule, the Secretary of the Department Health and Human Services (HHS),[1] after consultation with the Attorney General, shall determine whether existing legal controls under subchapter I of the Controlled Substances Act (CSA) and the Federal Food, Drug, and Cosmetic Act meet the requirements of the schedule specified in the notification with respect to the specific drug or substance.[2] In the event that the Secretary of HHS did not consult with the Attorney General, and

[1] As discussed in a memorandum of understanding entered into by the Food and Drug Administration (FDA) and the National Institute on Drug Abuse (NIDA), FDA acts as the lead agency within HHS in carrying out the Secretary's scheduling responsibilities under the Controlled Substances Act, with the concurrence of NIDA. 50 FR 9518 (March 8, 1985). The Secretary of HHS has delegated to the Assistant Secretary for Health of HHS the authority to make domestic drug scheduling recommendations. 58 FR 35460 (July 1, 1993).

[2] 21 U.S.C. 811(d)(3).

the Attorney General did not issue a temporary order, as provided under 21 U.S.C. 811(d)(4), the procedures for permanent scheduling set forth in 21 U.S.C. 811(a) and (b) control. Pursuant to 21 U.S.C. 811(a)(1), the Attorney General may, by rule, schedule or transfer between any schedules any drug or other substance, if he finds that such drug or other substance has a potential for abuse, and makes the findings prescribed by 21 U.S.C. 812(b) to schedule the drug or other substance. The Attorney General has delegated this scheduling authority to the Administrator of the Drug Enforcement Administration (DEA).[3]

Background

Methoxetamine, also known as 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one or 2-(3-methoxyphenyl)-2-(*N*-ethylamino)cyclohexanone or MXE, belongs to the arylcyclohexylamine class of drugs with dissociative anesthetic and hallucinogenic properties, similar to phencyclidine (PCP), a schedule II controlled substance, and ketamine, a schedule III controlled substance. Methoxetamine has no approved medical use in the United States. In March 2016, the Commission on Narcotic Drugs (CND) voted to place methoxetamine in Schedule II of the 1971 Convention (CND Dec/59/6) during its 59th Session due to its dependence and abuse potential.

DEA and HHS Eight Factor Analyses

On April 14, 2018, in accordance with 21 U.S.C. 811(b), and in response to DEA's December 30, 2014, request and April 14, 2017, submission of additional data, HHS provided to DEA a scientific and medical evaluation and scheduling recommendation for methoxetamine. DEA reviewed the scientific and medical evaluation and scheduling recommendation for schedule I placement provided by HHS, and all other relevant data, pursuant to 21 U.S.C. 811(b) and (c), and conducted its own analysis under the eight factors stipulated in 21 U.S.C. 811(c). DEA found, under 21 U.S.C. 811(b)(1), that this substance warrants control in schedule I. Both DEA and HHS Eight-Factor analyses are available in their entirety under the tab Supporting Documents of the public docket for this action at *https://www.regulations.gov* under docket number DEA–568.

[3] 28 CFR 0.100.

Notice of Proposed Rulemaking To Schedule Methoxetamine

On December 7, 2021 (86 FR 69187), DEA published a notice of proposed rulemaking (NPRM) to permanently control methoxetamine in schedule I. Specifically, DEA proposed to add methoxetamine to the hallucinogenic substances list under 21 CFR 1308.11(d). The NPRM provided an opportunity for interested persons to file a request for hearing in accordance with DEA regulations on or before February 7, 2022. No requests for such a hearing were received by DEA. The NPRM also provided an opportunity for interested persons to submit comments on or before February 7, 2022.

Comments Received

DEA received one comment that recognized the dangers and public health risks, and fully supported the placement of methoxetamine in schedule I.

DEA Response: DEA appreciates this comment in support of this rulemaking.

Scheduling Conclusion

After consideration of the public comment, scientific and medical evaluation and accompanying recommendation of HHS, and after its own eight-factor evaluation, DEA finds that these facts and all relevant data constitute substantial evidence of potential for abuse of methoxetamine. DEA is permanently scheduling methoxetamine as a controlled substance under the CSA.

Determination of Appropriate Schedule

The CSA establishes five schedules of controlled substances known as schedules I, II, III, IV, and V. The CSA also specifies the findings required to place a drug or other substance in any particular schedule, 21 U.S.C. 812(b). After consideration of the analysis and recommendation of the Acting Assistant Secretary for Health of HHS and review of all other available data, the Administrator of DEA, pursuant to 21 U.S.C. 812(b)(1), finds that:

(1) Methoxetamine has a high potential for abuse that is comparable to other scheduled substances such as the ethylamine analog of phencyclidine (PCE; schedule I), the thiophene analog of phencyclidine (TCP; schedule I), phencyclidine (PCP; schedule II), and ketamine (schedule III);

(2) Methoxetamine has no currently accepted medical use in treatment in the United States. There are no approved New Drug Applications for methoxetamine and no known therapeutic applications for methoxetamine in the United States. Therefore, methoxetamine has no currently accepted medical use in treatment in the United States.[4]

(3) There is a lack of accepted safety for use of methoxetamine under medical supervision. Because methoxetamine has no approved medical use and has not been investigated as a new drug, its safety for use under medical supervision has not been determined. Therefore, there is a lack of accepted safety for use of methoxetamine under medical supervision.

Based on these findings, the Administrator of DEA concludes that methoxetamine as well as its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible warrants control in schedule I of the CSA.[5]

Requirements for Handling Methoxetamine

Methoxetamine is subject to the CSA's schedule I regulatory controls and administrative, civil, and criminal sanctions applicable to the manufacture, distribution, reverse distribution, import, export, engagement in research, conduct instructional activities or chemical analysis with, and possession of schedule I controlled substances, including the following:

1. *Registration.* Any person who handles (manufactures, distributes, reverse distributes, imports, exports, engages in research, or conducts instructional activities or chemical analysis with, or possesses), or who desires to handle, methoxetamine must be registered with DEA to conduct such activities pursuant to 21 U.S.C. 822, 823, 957, and 958, and in accordance with 21 CFR parts 1301 and 1312. Any person who currently handles methoxetamine and is not registered with DEA must submit an application for registration and may not continue to handle methoxetamine, unless DEA has approved that application for registration pursuant to 21 U.S.C. 822, 823, 957, 958, and in accordance with 21 CFR parts 1301 and 1312.

[4] Although there is no evidence suggesting that methoxetamine has a currently accepted medical use in treatment in the United States, it bears noting that a drug cannot be found to have such medical use unless DEA concludes that it satisfies a five-part test. Specifically, with respect to a drug that has not been approved by FDA, to have a currently accepted medical use in treatment in the United States, all of the following must be demonstrated: i. The drug's chemistry must be known and reproducible; ii. there must be adequate safety studies; iii. there must be adequate and well-controlled studies proving efficacy; iv. the drug must be accepted by qualified experts; and v. the scientific evidence must be widely available. 57 FR 10499 (1992), *pet. for rev. denied, Alliance for Cannabis Therapeutics* v. *DEA,* 15 F.3d 1131, 1135 (D.C. Cir. 1994).

[5] 21 U.S.C. 812(b)(1).

2. *Disposal of stocks.* Any person unwilling or unable to obtain a schedule I registration must surrender or transfer all quantities of currently held methoxetamine to a person registered with DEA before the effective date of a final scheduling action in accordance with all applicable Federal, State, local, and tribal laws. Methoxetamine must be disposed of in accordance with 21 CFR part 1317, in addition to all other applicable Federal, State, local, and tribal laws.

3. *Security.* Methoxetamine is subject to schedule I security requirements and must be handled and stored pursuant to 21 U.S.C. 823, and in accordance with 21 CFR 1301.71–1301.76, as of the effective date of this final scheduling action. Non-practitioners handling methoxetamine must comply with the employee screening requirements of 21 CFR 1301.90–1301.93.

4. *Labeling and Packaging.* All labels, labeling, and packaging for commercial containers of methoxetamine must comply with 21 U.S.C. 825, and be in accordance with 21 CFR part 1302.

5. *Quota.* Only registered manufacturers are permitted to manufacture methoxetamine in accordance with a quota assigned pursuant to 21 U.S.C. 826, and in accordance with 21 CFR part 1303.

6. *Inventory.* Every DEA registrant who possesses any quantity of methoxetamine must take an inventory of methoxetamine on hand, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11(a) and (d).

Any person who registers with DEA must take an initial inventory of all stocks of controlled substances (including methoxetamine) on hand on the date the registrant first engages in the handling of controlled substances, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11(a) and (b).

After the initial inventory, every DEA registrant must take an inventory of all controlled substances (including methoxetamine) on hand every two years, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1304.03, 1304.04, and 1304.11.

7. *Records and Reports.* Every DEA registrant must maintain records and submit reports for methoxetamine, or products containing methoxetamine, pursuant to 21 U.S.C. 827 and in accordance with 21 CFR 1301.74(b) and (c) and parts 1304, 1312 and 1317. Manufacturers and distributors must submit reports regarding methoxetamine to the Automation of Reports and Consolidated Order System pursuant to 21 U.S.C. 827 and in accordance with 21 CFR parts 1304 and 1312.

8. *Order Forms.* Every DEA registrant who distributes methoxetamine must comply with the order form requirements, pursuant to 21 U.S.C. 828 and 21 CFR part 1305.

9. *Importation and Exportation.* All importation and exportation of methoxetamine must comply with 21 U.S.C. 952, 953, 957, and 958, and in accordance with 21 CFR part 1312.

10. *Liability.* Any activity involving methoxetamine not authorized by, or in violation of, the CSA or its implementing regulations, is unlawful, and may subject the person to administrative, civil, and/or criminal sanctions.

Regulatory Analyses

Executive Orders 12866 and 13563 (Regulatory Planning and Review; Improving Regulation and Regulatory Review)

In accordance with 21 U.S.C. 811(a), this final scheduling action is subject to formal rulemaking procedures performed ''on the record after opportunity for a hearing,'' which are conducted pursuant to the provisions of 5 U.S.C. 556 and 557. The CSA sets forth the procedures and criteria for scheduling a drug or other substance. Such actions are exempt from review by the Office of Management and Budget pursuant to section 3(d)(1) of Executive Order (E.O.) 12866 and the principles reaffirmed in E.O. 13563.

Executive Order 12988, Civil Justice Reform

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of E.O. 12988 to eliminate drafting errors and ambiguity, minimize litigation, provide a clear legal standard for affected conduct, and promote simplification and burden reduction.

Executive Order 13132, Federalism

This rulemaking does not have federalism implications warranting the application of E.O. 13132. The proposed rule does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

Executive Order 13175, Consultation and Coordination With Indian Tribal Governments

This rule does not have tribal implications warranting the application of E.O. 13175. It does not have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Paperwork Reduction Act of 1995

This action does not impose a new collection of information requirement under the Paperwork Reduction Act of 1995.[6]

Regulatory Flexibility Act

The Administrator of DEA, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601–612, has reviewed this final rule, and by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities.

DEA is placing the substance methoxetamine (chemical name: 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one)), including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation, in schedule I of the CSA to enable the United States to meet its obligations under the 1971 Convention. This action imposes the regulatory controls and administrative, civil, and/or criminal sanctions applicable to schedule I controlled substances on persons who handle (manufacture, distribute, reverse distribute, import, export, engage in research, conduct instructional activities or chemical analysis with, or possess) or propose to handle methoxetamine.

Based on the review of HHS's scientific and medical evaluation and all other relevant data, DEA determined that methoxetamine has high potential for abuse, has no currently accepted medical use in treatment in the United States, and lacks accepted safety for use under medical supervision. DEA's research confirms that there is no legitimate commercial market for methoxetamine in the United States. Therefore, this final rule will not have a significant effect on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

On the basis of information contained in the ''Regulatory Flexibility Act'' section above, DEA has determined pursuant to the Unfunded Mandates Reform Act (UMRA) of 1995 (2 U.S.C. 1501 *et seq.)* that this final rule would not result in any Federal mandate that may result ''in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted

[6] 44 U.S.C. 3501–3521.

annually for inflation) in any 1 year * * *.'' Therefore, neither a Small Government Agency Plan nor any other action is required under UMRA of 1995.

Congressional Review Act

This rule is not a major rule as defined by the Congressional Review Act (CRA), 5 U.S.C. 804. However, pursuant to the CRA, DEA is submitting a copy of the final rule to both Houses of Congress and to the Comptroller General.

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Reporting and recordkeeping requirements.

For the reasons set out above, 21 CFR part 1308 is amended as follows:

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

■ 1. The authority citation for 21 CFR part 1308 continues to read as follows:

Authority: 21 U.S.C. 811, 812, 871(b), 956(b), unless otherwise noted.

■ 2. In § 1308.11, add paragraph (d)(100) to read as follows:

§ 1308.11 Schedule I.

* * * * *

(d) * * *

(100) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one (methoxetamine, MXE) 7286

* * * * *

Anne Milgram,

Administrator.

[FR Doc. 2022–11933 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 587

Publication of Russian Harmful Foreign Activities Sanctions Regulations Web General Licenses 25A, 33, 34, and 35

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 four general licenses (GLs) issued pursuant to the Russian Harmful Foreign Activities Sanctions Regulations: GL 25A, GL 33, GL 34, and GL 35, each of which was previously issued on OFAC's website.

DATES: GL 25A, GL 33, GL 34, and GL 35 were each issued on May 8, 2022. See **SUPPLEMENTARY INFORMATION** of this publication for additional relevant dates.

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.treas.gov/ofac.*

Background

OFAC issued GL 25A, GL 33, GL 34, and GL 35 on May 8, 2022 on its website to authorize certain transactions otherwise prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587. GL 25A does not contain an expiration date. GL 33 expires at 12:01 a.m. eastern daylight time, June 7, 2022. GL 34 expires at 12:01 a.m. eastern daylight time, July 7, 2022. GL 35 expires at 12:01 a.m. eastern daylight time, August 20, 2022. The texts of GLs 25A, 33, 34, and 35 are provided below.

OFFICE OF FOREIGN ASSETS CONTROL

Russian Harmful Foreign Activities Sanctions Regulations 31 CFR Part 587

GENERAL LICENSE NO. 25A

Authorizing Transactions Related to Telecommunications and Certain Internet-Based Communications

(a) Except as provided in paragraph (c) of this general license, all transactions ordinarily incident and necessary to the receipt or transmission of telecommunications involving the Russian Federation that are prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587 (RuHSR), are authorized.

(b) Except as provided in paragraph (c) of this general license, the exportation or reexportation, sale, or supply, directly or indirectly, from the United States or by U.S. persons, wherever located, to the Russian Federation of services, software, hardware, or technology incident to the exchange of communications over the internet, such as instant messaging, videoconferencing, chat and email, social networking, sharing of photos, movies, and documents, web browsing, blogging, web hosting, and domain name registration services, that is prohibited by the RuHSR, is authorized.

(c) This general license does not authorize:

(1) The opening or maintaining of a correspondent account or payable-through account for or on behalf of any entity subject to Directive 2 under Executive Order (E.O.) 14024, *Prohibitions Related to Correspondent or Payable-Through Accounts and Processing of Transactions Involving Certain Foreign Financial Institutions;*

(2) Any debit to an account on the books of a U.S. financial institution of the Central Bank of the Russian Federation, the National Wealth Fund of the Russian Federation, or the Ministry of Finance of the Russian Federation;

(3) Any transactions prohibited by E.O. 14066 or E.O. 14068; or

(4) Any transactions involving Joint Stock Company Channel One Russia, Joint Stock Company NTV Broadcasting Company, or Television Station Russia-1, unless separately authorized.

(d) Effective May 8, 2022, General License No. 25, dated April 7, 2022, is replaced and superseded in its entirety by this General License No. 25A.

Note to General License No. 25A. Nothing in this general license relieves any person from compliance with any other Federal laws or requirements of other Federal agencies, including export, reexport, and transfer (in-country) licensing requirements maintained by the Department of Commerce's Bureau of Industry and Security under the Export Administration Regulations, 15 CFR parts 730–774.

Andrea M. Gacki

Director, Office of Foreign Assets Control

Dated: May 8, 2022

OFFICE OF FOREIGN ASSETS CONTROL

Russian Harmful Foreign Activities Sanctions Regulations 31 CFR Part 587

GENERAL LICENSE NO. 33

Authorizing the Wind Down of Operations or Existing Contracts Involving Certain Blocked Entities

(a) Except as provided in paragraph (b) of this general license, all transactions ordinarily incident and necessary to the wind down of operations, contracts, or other agreements involving one or more of the following blocked persons that were in effect prior to May 8, 2022, and that are prohibited by Executive Order (E.O.) 14024, are authorized through 12:01 a.m. eastern daylight time, June 7, 2022, provided that any payment to a blocked person must be made into a blocked account located in the United States in accordance with the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587 (RuHSR):

(1) Joint Stock Company Channel One Russia;

(2) Joint Stock Company NTV Broadcasting Company;

(3) Television Station Russia-1; or

(4) Any entity in which one or more of the above persons own, directly or indirectly, individually or in the aggregate, a 50 percent or greater interest.

(b) This general license does not authorize:

(1) Any transactions prohibited by Directive 2 under E.O. 14024, *Prohibitions Related to Correspondent or Payable-Through Accounts and Processing of Transactions Involving Certain Foreign Financial Institutions;*

(2) Any transactions prohibited by Directive 4 under E.O. 14024, *Prohibitions Related to Transactions Involving the Central Bank of the Russian Federation, the National Wealth Fund of the Russian Federation, and the Ministry of Finance of the Russian Federation;* or

(3) Any transactions otherwise prohibited by the RuHSR, including transactions involving any person blocked pursuant to the RuHSR other than the blocked persons described in paragraph (a) of this general license, unless separately authorized.

Andrea M. Gacki
Director, Office of Foreign Assets Control
Dated: May 8, 2022

OFFICE OF FOREIGN ASSETS CONTROL

Russian Harmful Foreign Activities Sanctions Regulations 31 CFR Part 587

GENERAL LICENSE NO. 34

Authorizing the Wind Down of Accounting, Trust and Corporate Formation, and Management Consulting Services

(a) Except as provided in paragraph (b) of this general license, all transactions ordinarily incident and necessary to the wind down of the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, of accounting, trust and corporate formation, or management consulting services to any person located in the Russian Federation that are prohibited by section 1(a)(ii) of Executive Order 14071 are authorized through 12:01 a.m. eastern daylight time, July 7, 2022.

(b) This general license does not authorize any transactions otherwise prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587 (RuHSR), including transactions involving any person blocked pursuant to the RuHSR, unless separately authorized.

Andrea M. Gacki
Director, Office of Foreign Assets Control
Dated: May 8, 2022

OFFICE OF FOREIGN ASSETS CONTROL

Russian Harmful Foreign Activities Sanctions Regulations 31 CFR Part 587

GENERAL LICENSE NO. 35

Authorizing Transactions Involving Credit Rating and Auditing Services

(a) Except as provided in paragraph (b) of this general license, all transactions ordinarily incident and necessary to the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, of credit rating or auditing services to any person located in the Russian Federation that are prohibited by section 1(a)(ii) of Executive Order 14071 are authorized through 12:01 a.m. eastern daylight time, August 20, 2022.

(b) This general license does not authorize any transactions otherwise prohibited by the Russian Harmful Foreign Activities Sanctions Regulations, 31 CFR part 587 (RuHSR), including transactions involving any person blocked pursuant to the RuHSR, unless separately authorized.

Andrea M. Gacki
Director, Office of Foreign Assets Control
Dated: May 8, 2022

Andrea M. Gacki,
Director, Office of Foreign Assets Control.

[FR Doc. 2022–12004 Filed 6–3–22; 8:45 am]
BILLING CODE 4810–AL–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 100

[Docket No. USCG–2022–0261]

Special Local Regulation; Marine Events Within the Eleventh Coast Guard District—Great Western Tube Float

AGENCY: Coast Guard, DHS.

ACTION: Notification of enforcement of regulation.

SUMMARY: The Coast Guard will enforce the Great Western Tube Float special local regulation on the waters of Parker, Arizona on June 11, 2022. This special local regulation is necessary to provide for the safety of the participants, crew, sponsor vessels, and general users of the waterway. During the enforcement period, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative.

DATES: The regulations in 33 CFR 100.1102 will be enforced from 7 a.m. until 6 p.m., on June 11, 2022 for the location described in Item No. 9 in Table 1 to § 100.1102.

FOR FURTHER INFORMATION CONTACT: If you have questions about this notification of enforcement, call or email Lieutenant Commander John Santorum, Waterways Management, U.S. Coast Guard Sector San Diego, CA; telephone 619–278–7656, email *MarineEventsSD@uscg.mil.*

SUPPLEMENTARY INFORMATION: The Coast Guard will enforce the special local regulations in 33 CFR 100.1102 for the Great Western Tube Float in Parker, AZ for the location described in Table No. 1 to § 100.1102, Item No. 9 of that section, from 7 a.m. to 6 p.m. on June 11, 2022. This action is being taken to provide for the safety of life on the navigable waterway during the race. Our regulation for recurring marine events on the Colorado River, between Davis Dam (Bullhead City, Arizona) and Headgate Dam (Parker, Arizona), § 100.1102, Table 1 to § 100.1102, Item No. 9, specifies the location of the

regulated area for the Great Western Tube Float, which encompasses portions of the Colorado River. Under the provisions of § 100.1102, persons and vessels are prohibited from entering into, transiting through, or anchoring within this regulated area unless authorized by the Captain of the Port, or his designated representative. The Coast Guard may be assisted by other Federal, State, or local law enforcement agencies in enforcing this regulation.

In addition to this document in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via the Local Notice to Mariners and local advertising by the event sponsor.

If the Captain of the Port Sector San Diego or his designated representative determines that the regulated area need not be enforced for the full duration stated on this document, he or she may use a Broadcast Notice to Mariners or other communications coordinated with the event sponsor to grant general permission to enter the regulated area.

Dated: June 1, 2022

T.J. Barelli,

Captain, U.S. Coast Guard, Captain of the Port San Diego.

[FR Doc. 2022–12119 Filed 6–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0211]

RIN 1625–AA00

Safety Zones; Fireworks, Captain of the Port New York Zone

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing five temporary safety zones in the Coast Guard Captain of the Port (COTP) New York Zone for multiple barge based fireworks displays that are scheduled to take place in June of 2022. During the enforcement times vessels will be restricted from portions of navigable waters in the vicinity of the fireworks displays on the Long Island Sound, Hudson River, and Upper New York Bay. The establishment of these safety zones is necessary to protect event participants, waterway users, and vessels, from the potential hazards associated with these scheduled events.

DATES: This rule is effective from 9 p.m. on June 18, 2022, through 11 p.m. on June 28, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0211 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email MST1 J. Kurian, Waterways Management Division, U.S. Coast Guard; telephone 718–354–4000, email *D01-SMB-SecNY-Waterways@uscg.mil.*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York
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

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because doing so would be impracticable and contrary to the public interest. The details of these events were not known to the Coast Guard until there was insufficient time to publish an NPRM. Delaying the effective date of this rule to wait for a comment period to run would be impracticable and contrary to the public interest because it would inhibit the Coast Guard's ability to protect the public and vessels from the hazards associated with barge based fireworks displays. The expeditious implementation of this rule is in the public interest because it will help ensure the safety of event participants, spectators, waterway users, and surrounding vessels.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable and contrary to the public interest because the safety zones must be enforced for the fireworks displays in June of 2022, to mitigate the potential safety hazards associated with these events.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port New York (COTP) has determined that potential hazards associated with barge based fireworks displays will pose a significant risk to public safety and property. This rule is needed to protect personnel, vessels and the marine environment in the navigable waters within the fallout zone immediately before, during and after the fireworks displays.

IV. Discussion of the Rule

This rule establishes five temporary safety zones, which will be enforced for a relatively short duration, on various days throughout June of 2022 as described below. Each event and its corresponding enforcement dates and locations are described below.

(1) Jersey City, Hudson River, Safety Zone Launch site: A barge located on the Hudson River, in approximate position 40°41′08″ N, 74°04′10″ W, approximately 100 yards east of Caven Point. This safety zone is a 90-yard radius from the barge and will be enforced on June 18, 2022, from 9 p.m. until 10 p.m.

(2) Big Rock Point, Hudson River, Safety Zone Launch site: A barge or floating platform located on the Hudson River, in approximate position 41°53′50″ N, 73°57′49″ W, approximately 500 yards north of Big Rock Point. This safety zone is a 360-yard radius from the barge and will be enforced on June 25, 2022, from 9:30 p.m. until 11 p.m.

(3) Governors Island, Upper New York Bay, Safety Zone Launch site: A barge located on the Upper New York Bay, from approximate position 40°41′25″ N, 74°01′34″ W, approximately 365 yards west of Governors Island. This safety zone is a 360-yard radius from the barge and will be enforced on June 26, 2022, from 9:30 p.m. until 11 p.m.

(4) Little Neck Bay, Long Island Sound, Safety Zone Launch site: Two barges located on Little Neck Bay on the Long Island Sound in approximate position 40°47′38″ N, 073°46′13″ W, approximately 300 yards east of Fort Totten Park. This safety zone is a 360-yard radius from the barge and will be enforced on June 28, 2022, from 9 p.m. until 10 p.m.

Based on the size and location of each zone, vessels may be able to safely transit around each safety zone in many cases, therefore impact to vessel traffic is minimal. The enforcement of the zones are intended to protect event participants, vessels and surrounding vessels in these navigable waters during these events. No vessel or person will be permitted to enter the safety zones without obtaining permission from the COTP or a Designated Representative.

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders, and we discuss First Amendment rights of protestors.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on duration and time-of-day and location of the safety zones. These safety zones will restrict vessel traffic from entering or transiting within a relatively small area of navigable waters within the Captain of the Port New York Zone, immediately surrounding each fireworks barge launch sites. Moreover, the Coast Guard will issue Broadcast Notice to Mariners via VHF–FM marine channel 16 about the zone, and the rule allows the vessels to seek permissions to enter the zones. Advance public notifications will also be made to local mariners through appropriate means, which may include Local Notice to Mariners and Broadcast Notice to Mariners.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves the establishment of five safety zones, which will prohibit entry within a 360-yard radius or less from the fireworks launch. It is categorically excluded from further review under paragraph L60 (a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.2.

■ 2. Add § 165.T01–0211 to read as follows:

§ 165.T01–0211 Safety Zones; Fireworks, Captain of the Port New York Zone.

The Coast Guard is establishing temporary safety zones for the events listed in Table 1 of this section. The regulations in this section will be enforced for the duration of each event, on or about the dates and times indicated in Table 1 of this section.

(a) *Regulations.* Under the general safety zone regulations in subpart C of this part, you may not enter the safety zone described in Table 1 of this section unless authorized by the COTP or the COTP's Designated Representative.

(1) To seek permission to enter, contact the COTP or the COTP's Designated Representative via VHF–FM Marine Channel 16, or by contacting the Coast Guard Sector New York command center at (718) 354–4356 to obtain permission.

(2) Information broadcasts. If there are any changes to the enforcement times as listed in this section, the Captain of the Port New York will notify the public of the updated enforcement times through a Broadcast Notice to Mariners and or the Local Notice to Mariners.

(b) *Definitions.* As used in this section, *Designated Representative* means a Coast Guard Patrol Commander, including a Coast Guard coxswain, petty officer or other officer operating a Coast Guard vessel and a Federal, State and local officer designated by or assisting the Captain of the Port New York (COTP) in the enforcement of this section.

TABLE 1 TO § 165.T01–0211

Event	Location[1]	Enforcement date and time
1. Jersey City, Hudson River, Safety Zone.	Launch site: A barge located on the Hudson River, in approximate position 40°41′08″ N, 74°04′10″ W, approximately 100 yards east of Caven Point. This Safety Zone is a 90-yard radius from the barge.	June 18, 2022, from 9 p.m. until 10 p.m.
2. Big Rock Point, Hudson River, Safety Zone.	Launch site: A barge or floating platform located on the Hudson River, in approximate position 41°53′50″ N, 73°57′49″ W, approximately 500 yards north of Big Rock Point. This Safety Zone is a 360-yard radius from the barge.	June 25, 2022, from 9:30 p.m. until 11 p.m.
3. Governors Island, Upper New York Bay, Safety Zone.	Launch site: A barge located on the Upper New York Bay, from approximate position 40°41′25″ N, 74°01′34″ W, approximately 365 yards west of Governors Island. This Safety Zone is a 360-yard radius from the barge.	June 26, 2022, from 9:30 p.m. until 11 p.m.
4. Little Neck Bay, Long Island Sound, Safety Zone.	Launch site: Two barges located on Little Neck Bay on the Long Island Sound in approximate position 40°47′38″ N, 073°46′13″ W, approximately 300 yards east of Fort Totten Park. This Safety Zone is a 360-yard radius from the barge.	June 28, 2022, from 9 p.m. until 10 p.m.

[1] All coordinates listed in Table 1 to § 165.T01–0211 reference Datum NAD 1983.

Dated: May 31, 2022.

Z. Merchant,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2022–12055 Filed 6–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[Docket Number USCG–2022–0453]

RIN 1625–AA00

Safety Zone; Portal Bridge, Hackensack River, Kearny, NJ

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone on the navigable waters of the Hackensack River, within a 100-yard radius of the center of the Portal Bridge at mile 5.0 over the Hackensack River, Kearny, New Jersey, including the East and West navigational channels. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the cross channel repair work on the submarine cables. Entry of vessels or persons into this zone during the enforcement periods is prohibited unless specifically authorized by the Captain of the Port New York or a designated representative.

DATES: This rule is effective without actual notice from June 6, 2022 through 11:59 p.m., September 2, 2022. For the purposes of enforcement, actual notice will be used from 7 a.m., June 1, 2022 until June 6, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2022–0453 the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: If you have questions about this proposed rulemaking, call or email MST1 Jaison Kurian, Waterways Management Division, U.S. Coast Guard, telephone 718–354–4000, email *Jaison.Kurian@uscg.mil*

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

CFR Code of Federal Regulations
COTP Captain of the Port New York
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

On April 16, 2022, a barge being transported along the Hackensack River collided with the East Fender of the Portal Bridge, resulting in the East Fender being severely damaged, and rendering the East Navigation Channel closed to maritime traffic. During the subsequent site inspection it was discovered that a large portion of the fender debris became caught on an existing submarine cable. This existing submarine cable crosses both the East and West Navigation Channels and facilitates the rail-return path for a section of the NEC track circuit. Opening any portion of the Portal Bridge before repairs to the submarine cables are complete, could result in the Portal Bridge being inoperable for an extended length of time. The enforcement of the safety zone enables the submarine cable repairs are completed in a timely manner.

The Coast Guard is issuing this temporary rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to comment when the agency for good cause finds that those procedures are ''impracticable, unnecessary, or contrary to the public interest.'' Under 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because the Coast Guard was notified of the submarine cable repair operation with insufficient time to complete the NPRM process before the enforcement of the safety zone. It is impracticable to publish an NPRM because we must establish this safety zone by June 1, 2022, for this unscheduled critical repair work. Additionally, delaying the effective date of this rule would be contrary to the public interest as it is necessary to establish this safety zone to protect personnel and vessels from hazards associated with submarine cable repairs. The Coast Guard is publishing this rule to be effective through September 2, 2022 in case the project is delayed due to unforeseen circumstances.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**. Delaying the effective date of this rule would be impracticable because immediate action is needed to respond to the potential safety hazards associated with the replacement of the submarine cable repairs on the Portal Bridge in Kearny, NJ.

III. Legal Authority and Need for Rule

The Coast Guard is issuing this rule under authority in 46 U.S.C. 70034 (previously 33 U.S.C. 1231). The Captain of the Port New York (COTP) has determined that potential hazards associated with submarine cable replacement at Portal Bridge starting June 1, 2022. This rule is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone during the repairs to the submarine cables.

IV. Discussion of the Rule

Although we only expect the repairs to take 36 hours, this rule establishes a safety zone from 7 a.m. on June 1, 2022 until 11:59 p.m. on September 2, 2022 in case the project is delayed due to unforeseen circumstances. The safety zone will cover all navigable waters of the Hackensack River, within a 100 yard radius of the Portal Bridge, Kearny, New Jersey, including the East and West channels. We anticipate enforcing the safety zone for a 36 hour period during cable replacement operations from approximately 7 a.m. on June 1, 2022, until 7 p.m. on June 2, 2022. Upon completion of the repairs, mariners will be notified by Broadcast Notice to Mariners. During periods of enforcement, the Portal Bridge will remain in the closed position and all vessels will be prohibited from transiting under the bridge. The duration of the zone is intended to protect personnel, vessels, and the marine environment in these navigable waters while the bridge is being repaired. No vessel or person will be permitted to enter the safety zone without obtaining permission from the COTP or a designated representative during the enforcement period. The Coast Guard is publishing this rule to be effective through September 2, 2022.

The Coast Guard will notify the public and local mariners of this rule through appropriate means, which may include, but are not limited to, publication in the Local Notice to Mariners and Broadcast Notice to Mariners via marine Channel 16 (VHF–FM).

V. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

A. Regulatory Planning and Review

Executive Orders 12866 and 13563 direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits. This rule has not been designated a ''significant regulatory action,'' under Executive Order 12866. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB).

This regulatory action determination is based on the size, location, duration and time-of-day of the safety zone. The safety zone is only in effect for navigable waters within a 100-yard radius of the center of the Portal Bridge at mile 5.0 over the Hackensack River, Kearny, New Jersey. The Coast Guard will notify the public of the enforcement of this rule through appropriate means, which may include, but are not limited to, publication in the Local Notice to Mariners and Broadcast Notice to Mariners via VHF–FM marine channel 16.

B. Impact on Small Entities

The Regulatory Flexibility Act of 1980, 5 U.S.C. 601–612, as amended, requires Federal agencies to consider the potential impact of regulations on small entities during rulemaking. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

While some owners or operators of vessels intending to transit the safety zone may be small entities, for the reasons stated in section V.A above, this rule will not have a significant economic impact on any vessel owner or operator.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

C. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

D. Federalism and Indian Tribal Governments

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on the States, on the relationship

between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this rule under that Order and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

E. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

F. Environment

We have analyzed this rule under Department of Homeland Security Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969(42 U.S.C. 4321–4370f), and have determined that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. This rule involves establishing a safety zone on all navigable waters of the Hackensack River, within a 100-yard radius of the Portal Bridge, Kearny, New Jersey, including the East and West navigational channels. It is categorically excluded from further review under paragraph L60 (a) of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev. 1. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble.

G. Protest Activities

The Coast Guard respects the First Amendment rights of protesters. Protesters are asked to call or email the person listed in the **FOR FURTHER INFORMATION CONTACT** section to coordinate protest activities so that your message can be received without jeopardizing the safety or security of people, places or vessels.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 46 U.S.C. 70034, 70051; 33 CFR 1.05–1, 6.04–1, 6.04–6, and 160.5; Department of Homeland Security Delegation No. 00170.1, Revision No. 01.2.

■ 2. Add § 165.T01–0453 to read as follows:

§ 165. T01–0453 Safety Zone; Portal Bridge, Hackensack River, Kearny, NJ.

(a) *Location.* The following area is a safety zone: All navigable waters of the Hackensack River, within a 100-yard radius of the center of the Portal Bridge (mile 5.0), Kearny, New Jersey, including the East and West navigational channels.

(b) *Definitions.* As used in this section, *Designated Representative* means a Coast Guard Officer, including a Coast Guard coxswain, petty officer, or other officer operating a Coast Guard vessel and a Federal, State, and local officer designated by or assisting the Captain of the Port New York (COTP) in the enforcement of the safety zone.

(c) *Regulations.* Under the general safety zone regulations in subpart C of this part, no person or vessel may enter the safety zone described in paragraph (a) of this section unless authorized by the Captain of the Port (COTP) or the COTP's designated representative.To seek permission to enter, contact the COTP or the COTP's representative via VHF channel 16 or by phone at (718) 354–4353 (Sector New York Command Center). Those in the safety zone must comply with all lawful orders or directions given to them by the COTP or the COTP's designated representative.

(d) *Enforcement period.* This section is effective from June 1, 2022, through September 2, 2022, but will only be enforced during periods when bridge repairs are in progress.

Dated: May 31, 2022.

Z. Merchant,

Captain, U.S. Coast Guard, Captain of the Port New York.

[FR Doc. 2022–12058 Filed 6–3–22; 8:45 am]

BILLING CODE 9110–04–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 187

[Docket No. USCG–2018–0160]

RIN 1625–AC28

Uniform Certificate of Title Act for Vessels

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing its regulations for certifying a State's titling system for undocumented vessels to increase States' participation in the Vessel Identification System (VIS). This final rule allows States that have adopted the recommendations of the model Uniform Certificate of Title Act for Vessels to certify their titling provisions with the Coast Guard. Once certified and participating in the VIS, a State is able to confer preferred mortgage status on financial instruments that apply to undocumented vessels, which benefits the owners of those vessels. While many of the changes to the certification guidelines relate to the technical requirements of recording and maintaining titling documentation, the most significant change implements a system of ''branding'' (permanently marking) titles for vessels that have sustained structural damage. This will help prevent a process known as ''title washing,'' where severe vessel damage is concealed by transferring the title to a different State.

DATES: This final rule is effective July 6, 2022.

ADDRESSES: To view documents mentioned in this preamble as being available in the docket, go to *https://www.regulations.gov,* type USCG–2018–0160 in the search box and click ''Search.'' Next, in the Document Type column, select ''Supporting & Related Material.''

FOR FURTHER INFORMATION CONTACT: For information about this document call or email W. Vann Burgess, Boating Safety Division, Program Management and Operations Branch (CG–BSX–21), Coast

Guard; telephone 202–372–1071, email *william.v.burgess@uscg.mil.*

SUPPLEMENTARY INFORMATION:

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I. Abbreviations

BLA Boating Law Administrator
BLS Bureau of Labor Statistics
BSX U.S. Coast Guard's Office of Auxiliary and Boating Safety
CFR Code of Federal Regulations
DHS Department of Homeland Security
DOT Department of Transportation
FR Federal Register
HIN Hull identification number
MOA Memorandum of Agreements
NASBLA National Association of State Boating Law Administrators
NPRM Notice of proposed rulemaking
OMB Office of Management and Budget
OPM Office of Personnel Management
RA Regulatory analysis
§ Section
UCC Uniform Commercial Code
UCOTA–V Uniform Certificate of Title Act for Vessels
ULC Uniform Law Commission
U.S.C. United States Code
VIS Vessel Identification System

II. Basis and Purpose, and Regulatory History

The purpose of this rulemaking is to revise Coast Guard guidelines for State vessel titling systems so that they align with the Uniform Certificate of Title Act for Vessels (UCOTA–V). As discussed in more detail below, we expect that aligning Coast Guard guidelines with UCOTA–V will increase States' participation in the Vessel Identification System (VIS), thereby benefitting the owners of undocumented vessels by providing them access to preferred mortgages.

The legal basis for this rulemaking is Title 46 of the United States Code (U.S.C.), Sections 2103, 12501(a), and 31322(d). Section 2103 authorizes the Secretary of the department in which the Coast Guard is operating to issue regulations to carry out the provisions of Subtitle II, Vessels and Seamen, of Title 46 of the U.S.C., in which Section 12501(a) appears. Section 12501(a) requires the Secretary to establish a VIS relating to, among other things, the ownership of vessels titled under the law of a State. Finally, Section 31322(d) allows a mortgage that is filed, or ''perfected'' under State law, to be deemed ''a preferred mortgage'' if the Secretary certifies that the State titling system complies with the guidelines set forth in 46 U.S.C. 13107. The Secretary's authority under these statutes has been delegated to the Coast Guard in Department of Homeland Security (DHS) Delegation No. 00170.1, Revision No. 01.2, paragraph (II)(92)(a) and (92)(h). Pursuant to that authority, the Coast Guard has promulgated regulations in 33 CFR 187 governing the certification of State laws to determine eligibility for preferred mortgages. Before publishing this final rule we published a notice of proposed rulemaking (NPRM) in the **Federal Register** (86 FR 52792, Sept. 22, 2021). That NPRM was entitled ''Uniform Certificate of Title Act for Vessels,'' and proposed to amend 33 CFR part 187.

III. Discussion of Comments

The Coast Guard received seven comment submissions during the 60-day comment period for our NPRM, which ended November 22, 2021.

Four of the commenters supported the proposal to adopt the UCOTA–V model into the Code of Federal Regulations (CFR) at 33 CFR part 187, subpart D. The Uniform Law Commission (ULC), an organization dedicated to providing States with carefully conceived and nonpartisan uniform laws and the original drafters of UCOTA–V, strongly supports this final rule. The commission commented that the rule is crucial to consumer protection and will facilitate vessel financing, allowing vessel purchasers to obtain loans with lower interest rates. The Boat History Report, a website that helps its clients make informed watercraft purchasing decisions, noted that this final rule will provide greater transparency in the boating industry, promote title branding, and prevent damaged vessels from entering used vessel markets. The Maryland Department of Natural Resources commented that the adoption of this final rule will be the catalyst for reorganizing Maryland's disparate provisions governing vessel titling into a concise and orderly statute, which will be a notable benefit to the State's boat owners. Finally, the National Association of State Boating Law Administrators (NASBLA), a nonprofit organization dedicated to developing public policy for recreational boating safety, encourages approval of this final rule. NASBLA indicated that it believes this final rule will provide a consistent consumer protection measure that identifies vessels that have been deemed unsafe, preventing them from being sold without disclosure.

The other three commenters, who represent marine financing institutions, expressed concerns that there may be an inconsistency in granting preferred mortgage status on titled watercraft and the provision of § 187.324 that indicates ''the effect of perfection and non-perfection of a security interest and the priority of a perfected or unperfected security interest with respect to the rights of a purchaser or creditor, including a lien creditor, is governed by State law.''

We do not believe there is any inconsistency. Whether or not a State enacts UCOTA–V, lien priority is determined under the Uniform Commercial Code (UCC) 9–322(a), which has been adopted in some fashion by all 56 States.[1] This final rule will have no impact on the laws governing relative priority of multiple Article 9 security interests, which is currently governed by state law and still will be after the adoption of this final rule.

While there are some maritime liens whose priority status will be reduced by a security interest perfected through UCOTA–V, the Coast Guard sees this as an acceptable consequence. In 46 U.S.C. 12501(a), Congress directed the Secretary for the department in which the Coast Guard is operating to establish a VIS for the purposes of aiding law enforcement and organizing the owners of vessels. The Coast Guard has decided that incentivizing compliance with UCOTA–V through a preferred mortgage status best serves the American people, even if certain maritime lien holders are affected. Furthermore, the affected population had myriad opportunities to comment on the impacts of passing such a rule during the more than 2 years the ULC spent drafting UCOTA–V.[2]

IV. Discussion of the Rule

For the reasons described above, this final rule revises subpart D of 33 CFR part 187 so that State titling laws modeled on UCOTA–V will meet the

[1] As used throughout this final rule, ''State'' means any of the 56 jurisdictions (50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that administer Coast Guard-approved recreational vessel numbering systems.

[2] An archive of the activities and deliberations of the ULC committee on UCOTA–V, including transcripts of all meetings, can be found at *https://www.uniformlaws.org/viewdocument/committee-archive-1?CommunityKey=61fb3255-092e-4e91-982b-6fa1ae66fd82&tab=librarydocuments.*

certification requirements of subpart D. In addition, the final rule revises the applicable definitions section for part 187 located in subpart C. In subpart D, we replace the entire text of the existing subpart with new guidelines to accommodate States that adopt variants of the model code appropriate for their State commercial legal regimes. We are not adopting UCOTA–V in its entirety because some sections of UCOTA–V are not applicable to the Federal Government.

For example, included in UCOTA–V is a ''savings clause'' provision (see section 28 of UCOTA–V). Because the execution of the savings clause is governed by State law applicable to vessel titling that existed prior to the adoption of UCOTA–V,[3] there is no Federal interest or need to apply Federal oversight of the application of a savings clause. So long as vessels have been properly registered through the State, the savings clause provision found in section 28 of UCOTA–V has no bearing on the Coast Guard's regulatory regime. Therefore, we are not including UCOTA–V's savings clause provision within this final rule.

Instead, we are adopting certification guidelines that incorporate UCOTA–V, but with a number of policy or stylistic changes so that the guidelines are flexible enough to allow for the variations in State law permitted by UCOTA–V.

In addition to the savings clause provision in section 28, the Coast Guard is omitting the following sections of UCOTA–V that do not bear specifically on titling concerns. Because the execution of the savings clause would be governed by State law applicable to vessel titling that existed prior to the adoption of UCOTA–V, there is no Federal interest or need to apply Federal oversight of the application of a savings clause.

Section 1, Short title. We are integrating the requirements of UCOTA–V into Coast Guard regulations, so we do not need to adopt the act's title.

Section 4, Supplemental principles of law and equity. This provision concerns the interpretation principles of UCOTA–V and, while this is a general principle of the UCC, it is not needed for Coast Guard certification of a State's titling law.

Section 8, Creation and cancellation of certificate of title, subsection (f). We are not incorporating subsection (f) of section 8 because it is an optional provision for any State that ''provides a procedure for the office to follow before canceling a certificate of title. It is intended for those states whose public records or other law does not already provide a procedure that ensures all interested parties are notified in advance and given an opportunity to be heard.'' [4]

Section 26, Uniformity of application and construction. This provision also concerns interpretation principles and is not needed for Coast Guard certification.

Section 27, Relation to electronic signatures in global and national commerce act. This section describes the relation of a State's law to certain Federal statutes concerning electronic signature, which is not relevant in the certification of State titling law.

Section 28, Savings clause. For the reasons discussed earlier in this section, the Coast Guard is not incorporating section 28.

We are making a variety of stylistic changes and adding new definitions to clarify maritime nomenclatures. First, we keep the general numbering scheme of the text of UCOTA–V in regulatory text, replacing references to ''Section X'' with the appropriate citation to the equivalent regulatory section or paragraph. We also replace certain words such as ''shall'' with ''must,'' as provided by the Federal Plain Language Guidelines.[5] Additionally, we replace references to ''the UCC'' or specific sections of the UCC with references to ''State law.''

We provide a section-by-section discussion of the certification guidelines below.

Section 187.7, What are the definitions of terms used in this part? We rename this section *Definitions.* We use most of the existing definitions within section 187.7 and add new definitions from section 2 of UCOTA–V. If a definition from UCOTA–V differs from an existing regulatory definition (for example, the term ''documented vessel'' in UCOTA–V differs from the current definition in § 187.7), we have revised the regulations using the definition from UCOTA–V.

The definitions from UCOTA–V that we are adding are as follows:

- Barge;
- Builder's certificate;
- Buyer;
- Cancel;
- Certificate of title;
- Electronic;
- Electronic certificate of title;
- Foreign-documented vessel;
- Good faith;
- Hull damaged;
- Lien creditor;
- Office;
- Owner of record;
- Purchase;
- Purchaser;
- Record;
- Secured party of record;
- Sign;
- State of principal operation; [6]
- Title brand;
- Transfer of ownership;
- Vessel number; and
- Written certificate of title.

Subpart D heading and section titles. For clarification, we revise the heading for subpart D from *Guidelines for State Vessel Titling Systems* to the more general *State Vessel Titling Systems.* We also change the section titles in revised subpart D to better align with the section titles of UCOTA–V.

Section 187.301. We clarify this section by replacing the language that says the Coast Guard ''may certify'' a State vessel titling system if it complies with the requirements of the subpart with ''will certify.'' We made this change because, if the State's titling system meets the requirements of this regulation, the State has met the Coast Guard's requirements. Thus, the Coast Guard will certify the State's titling system, thereby fulfilling the requirements set forth in 46 U.S.C. 31322(d)(1) for preferred mortgage status. The purpose of this regulation is for States to take advantage of sharing validated vessel information that meets the minimum requirements listed in regulations.

Section 187.302 (new). We move the list of terms States must define from § 187.303 to this new section to keep the structure consistent with the rest of UCOTA–V. The new § 187.302(a) incorporates the current requirement of § 187.303 that States define listed terms substantially as they are defined in § 187.7. The terms already listed in § 187.7 are not removed or substantively changed, but some definitions are rephrased and several new terms are added as recommended by UCOTA–V, section 2(a), which includes a list of definitions for States to adopt directly. In addition, the new § 187.302(b) requires States to define the terms listed in UCOTA–V section 2(b). These are general terms derived from the UCC, which all States have adopted or

[3] See the explanation contained in the table on page 57 of UCOTA–V which says: ''*States will decide under existing state law how they will treat vessels that were previously titled under state law prior to adoption of UCOTA–V.*'' Thus, previously existing State requirements do not bear on the titling issues that this final rule addresses.

[4] UCOTA–V, Section 8, Legislative Note, page 25.

[5] See Federal Plain Language Guidelines, Rev. 1, (May 2011) on p. 25. These can be accessed at *https://www.plainlanguage.gov/guidelines.*

[6] In UCOTA–V, this term is ''State of principle [*sic*] use.''

adopted in modified form. Finally, we add a new § 187.302(c), incorporating UCOTA–V section 2(c), stating that subpart D definitions do not apply to any State or Federal law governing licensing, numbering, or registration if the same term is used in that law.

Section 187.303. We revise § 187.303 to incorporate UCOTA–V section 3 applicability provisions. As described above, the current list of terms States must define is moved to the new § 187.302.

Section 187.304. We retain this section without change, but rename it to better match the rest of the subpart.

Section 187.305. This section currently specifies requirements for title applications. We move the material on this topic to the revised § 187.307. The revised § 187.305 incorporates UCOTA–V section 5, defining which State's law governs vessels covered by title certificates.

Section 187.306 (new). This new section incorporates the UCOTA–V section 6 discussion of when a title certificate is and is not required.

Section 187.307. The revised § 187.307 incorporates UCOTA–V section 7 specifications for title application contents. This rule removes this section's mandate that States must impose certain conditions on vessel dealers and manufacturers. We will no longer require these dealer- or manufacturer-specific conditions because they are covered by the UCOTA–V provisions that we adopt in this rule.

Section 187.308 (new). This new section incorporates the UCOTA–V section 8 provisions for creating and canceling title certificates, with the exception of optional paragraph (f), as detailed above in the discussion of UCOTA–V section 8.

Section 187.309. This rule revises § 187.309 to exchange the current contents of this section, which govern requirements for voluntary title transfers (transfers other than by operation of law), with those of § 187.317. While we are retaining without change the existing content of this section, this exchange will make the organization of provisions within the CFR better align with the structure of UCOTA–V.

Section 187.310 (new). This new section incorporates UCOTA–V section 10 title brand provisions. We incorporate these provisions to deter title washing and protect buyers and others acquiring an interest in an undocumented vessel.

Section 187.311. This section currently requires new title certificates after vessel ownership transfers by operation of law. We move this discussion to the new § 187.320. The revised § 187.311 incorporates UCOTA–V section 11 requirements for maintenance of and access to State title certificate files.

Section 187.312 (new). This new section incorporates UCOTA–V section 12, concerning the duties of the State and title holder upon creation of a title certificate.

Section 187.313. This section currently requires a State to honor evidence of vessel ownership from another State, country, or the Coast Guard. We are moving this discussion to § 187.328. The revised § 187.313 incorporates UCOTA–V section 13, declaring the *prima facie* evidential value of title certificate contents.

Section 187.314 (new). This new section incorporates UCOTA–V section 14, concerning the possession of a title certificate and judicial process against a certificate.

Section 187.315. This section currently provides that a State title is invalidated when exchanged for a certificate of documentation. The revised § 187.315 incorporates UCOTA–V section 15 provisions for perfecting vessel security interests, which are currently addressed in § 187.323. The revised § 187.315 also includes the abbreviation for a hull identification number (HIN) in an effort to make the meaning of the section clearer to the regulated public.

Section 187.316 (new). This new section incorporates UCOTA–V section 16, concerning the termination of a security interest in a vessel. Currently, § 187.327 requires States to establish their own termination procedures. We are removing § 187.327.

Section 187.317. To better align with UCOTA–V's structure, we exchange the provisions on the topics covered by § 187.309 with the topics covered by § 187.317, as discussed above at *Section 187.309.*

Section 187.318 (new). This new section incorporates UCOTA–V section 18, concerning the effect of missing or incorrect title certificate information.

Section 187.319. This section currently covers applying for replacement or ''redundant'' title certificates. We move this topic to the new § 187.322. The revised § 187.319 incorporates UCOTA–V section 19, concerning the transfer of a vessel ownership interest by a secured party's transfer statement.

Section 187.320 (new). This new section incorporates UCOTA–V section 20, concerning ownership interest transfers by operation of law, which § 187.311 currently contains.

Section 187.321. This section currently requires a HIN to be assigned and affixed to a vessel upon proof of its ownership. We replace the existing language with a substantively identical adaptation of UCOTA–V section 21, concerning applications for transferring ownership or for canceling a security interest that is not accompanied by a certificate of title. UCOTA–V recommends more specific requirements for recording HINs, which we include in revised §§ 187.307, 187.309, 187.311, 187.315, and 187.325. For example, UCOTA–V requires the State to issue a HIN in cases where the State did not issue one to the vessel owner or operator upon original construction, such as an antique vessel built prior to November 1972.

Section 187.322 (new). This new section incorporates UCOTA–V section 22, concerning replacement title certificates, which is currently addressed in § 187.319.

Section 187.323. This section currently specifies procedures for perfecting vessel security interests, which will be addressed in § 187.315. The revised § 187.323 incorporates UCOTA–V section 23, concerning the rights of a vessel purchaser who is not a secured party.

Section 187.324 (new). This new section incorporates UCOTA–V section 24, concerning the rights of secured parties.

Section 187.325. This section currently requires States to specify the procedure for assigning vessel security interests, which this final rule addresses by revising § 187.315(f). The revised § 187.325 incorporates UCOTA–V section 25, specifying certain requirements for the administrative operation of a State certificating authority, such as length of record retention and allowable fees.

Section 187.327. This final rule removes this section, which covered the discharge of a vessel security interest. This topic is now covered in § 187.316.

Sections 187.329. This final rule removes this section. It is not necessary to retain the requirement in § 187.329 for States to specify titling system forms, as UCOTA–V requirements for specific records will appear throughout revised subpart D. An example of this is in the title application and certificate provisions of §§ 187.306 through 187.310.

Section 187.331. This final rule removes this section. Section 187.331 required States to retain title system information and make it available to Government authorities. In the revised subpart D, similar requirements appear in §§ 187.311(d) and 187.325(a).

V. Regulatory Analyses

The Coast Guard received seven comment submissions during the 60-day comment period that ended on November 22, 2021. We received no public comments on the estimated benefits and costs; therefore, the methodology employed in the regulatory analyses remains unchanged.

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on these statutes or Executive orders.

A. Regulatory Planning and Review

Executive Orders 12866 (Regulatory Planning and Review) and 13563 (Improving Regulation and Regulatory Review) direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

The Office of Management and Budget (OMB) has not designated this rule a significant regulatory action under section 3(f) of Executive Order 12866. Accordingly, OMB has not reviewed it. A regulatory analysis (RA) follows.

This final rule has several goals. The Coast Guard intends to establish minimum requirements for States [7] electing to become subpart D-compliant and to prescribe guidelines for State vessel titling systems. We also intend to provide guidance on how to obtain certification of compliance with State guidelines for vessel titling systems for the purpose of conferring preferred status on mortgages, instruments, or agreements under 46 U.S.C. 31322(d).

This RA provides an evaluation of the economic impacts associated with this final rule. Table 1 provides a summary of the final rule's costs and benefits.

TABLE 1—SUMMARY OF THE FINAL RULE'S IMPACTS [1]

Category	Summary
Affected Population	56 States of which 18 are not currently in compliance with VIS requirements and 47 have not adopted UCOTA–V (subpart D) or started the process.
Costs (7-percent discount rate)	$138,490 (10-year discounted cost). $19,718 (annualized cost).
Unquantified Costs [2]	• 2 States currently have legislative conflicts that may impact VIS participation. While the cost to negotiate and amend the legislation is estimated, the cost of labor to put forward and vote on the privacy legislation is difficult to quantify. • 47 States currently have legislative conflicts that may impact adopting UCOTA–V. While the cost to negotiate and amend the legislation is estimated, the cost of labor to put forward and vote on the privacy legislation is difficult to quantify.
Potential Costs [3]	• Costs to vessel owners, imposed by States without titling programs (7 States), who require vessel owners to obtain a title. Estimated potential cost of obtaining title is $50 (*not in cost analysis*). • Costs to vessel owners, imposed by States without titling programs (7 States), who may experience opportunity costs for labor expended to obtain a title (*not in cost analysis*). • Costs to vessel owners, imposed by States with titling programs (47 States), who may impose additional costs or fees on vessel owners (*not in cost analysis*). • Cost to States to update website after reviewing rule (*not in cost analysis*). • Cost to States seeking to become VIS-compliant to transfer data to the Coast Guard (*included in cost analysis*).
Unquantified Benefits	• Ability to obtain preferred mortgage status. • Lower transaction costs. • Deterrence to "title washing." • Recovery of stolen vessels. • Identification of abandoned vessels. • Consumer protection. • Security measures for financial entities. • Lower administrative burden and costs to buyers.

[1] Figures are rounded to the nearest one dollar.
[2] Unquantified costs are defined as costs that are incurred as a direct or indirect result of the rulemaking, which are not quantified.
[3] Potential costs are defined as costs that may *potentially* be incurred as a direct or indirect result of the rulemaking.

The revisions will affect States that voluntarily seek to certify their State titling laws with the Coast Guard, pursuant to regulations under 33 CFR part 187, and to participate in the VIS. As such, the affected population for this final rule includes the 56 U.S. States.

The Coast Guard has been encouraging States to participate in the VIS since it has been in place in 2007, but some States have chosen not to participate, primarily because of privacy laws regarding the sharing of personally identifiable information. The VIS comprises a nationwide information system for identifying recreational, commercial, and public vessels that are numbered. As of January 21, 2020, 38 States were participating in the VIS.[8] To encourage further participation, participating States have access to all VIS data.

As described later, the benefits of this final rule include increased uniformity across States in their titling laws. In turn, this will lead to reduced transaction costs, increased fraud prevention (insurance fraud and fraud from illegitimately owned vessels), increased consumer protection, decreased risk to lenders, improved opportunities for the recovery and identification of abandoned vessels, and

[7] As used throughout this final rule, ''State'' means any of the 56 jurisdictions (50 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that administer Coast Guard-approved recreational vessel numbering systems.

[8] *https://cgmix.uscg.mil/VISInformation.aspx?VISOption*. This page was last viewed on January 22, 2020. On that date, the last update was January 21, 2020.

increased efficiencies for interstate commerce. Even through there is no new requirement in this final rule for vessel owners to report vessel damage to the VIS directly, the insurance company will be required to provide the information to the State if the owners make claims to repair the vessels. Once the States provide the vessel information to the VIS, the system can track the vessel information and share with other States if the repaired boats are sold as boats with no damage outside the State.

More specifically, transaction costs will be lower because consumers may be able to get preferred loans with lower interest rates. Also, a buyer's administrative burden and costs when buying a vessel from a private party may be lessened because the buyer will not have to do extensive research to assure the vessel is being sold by the legitimate owner. In addition, some non-titling States require bonds when vessels are sold; this transaction cost may be eliminated with the adoption of UCOTA–V.

Affected Population

This final rule potentially affects all 56 States. The affected population of the regulated public may be parsed by VIS participation and also by UCOTA–V adoption. As of January 21, 2020, 38 States were participating in the VIS,[9] 16 States were interested in joining the VIS but had not signed Memorandum of Agreements (MOA) for VIS participation, and 2 States were not able to comply with VIS requirements due to conflicts with their own State's privacy laws. Regarding UCOTA–V adoption, 47 of 56 States have not adopted UCOTA–V.[10]

Costs

This final rule results in costs to the regulated public (State and territorial governments) and to the Coast Guard. Costs to the States may be divided between VIS compliance costs and UCOTA–V adoption (final subpart D compliance) costs. The final rule does not impose direct costs on vessel owners, as it will deter fraud by introducing penalties for providing false information. However, there is potential for indirect costs, as noted later.

Vessel owners are not required to take action as a result of this final rule. For example, this final rule does not require additional documentation from vessel owners. Transfer of title always requires a new title to be issued, which is common practice. There is no requirement other than a statement from the current owner declaring the vessel is, or has been, damaged. There is no other documentation required for proof of damage. There is no requirement for a statement from an insurer. This merely provides disclosure to a buyer.

This final rule may lead to changes in titling practices in some States, which may have cost implications for vessel owners and the States. We describe the potential costs to vessel owners as a direct or indirect result of this final rule below.

Potential Costs to Vessel Owners

This final rule will affect 56 States, all of which have vessel owners. In States that currently have a titling program for vessels and that participate in the VIS, vessel owners will experience no incremental impact. In States with an existing titling program, vessel owners may be affected if the State changes or imposes additional fees through its legislative or regulatory process. States that are compliant with UCOTA–V (final subpart D) report that they did not impose any additional fees after the adoption of UCOTA–V provisions, and, according to the Coast Guard's Office of Auxiliary and Boating Safety (BSX), no State has signaled the intent to increase titling fees if their system becomes certified as UCOTA–V compliant. However, the Coast Guard cannot definitively conclude that recreational vessel owners will not face a cost increase as an indirect effect of these final changes. Nonetheless, we have not computed a cost for the requirement to vessel owners in States with a titling system, due to the uncertainty of a potential cost increase.[11]

In States without a vessel titling program, recreational vessel owners may experience a cost increase because of this final rule. These States have not indicated to the Coast Guard how they may handle existing vessels once they have established a titling system. Existing vessels may be grandfathered in and permitted to be titled voluntarily by the owner, or States may require all vessel owners to obtain a title. A review of websites for States with a titling program demonstrated that the cost of vessel titles are generally $50 or less.[12] Because the Coast Guard does not have information on how future titling programs may be operated, we have not computed the potential costs to obtain titles in these States as a cost in this rulemaking. We acknowledge that there may be some opportunity costs [13] for labor expended to obtain the title and actual fees for the title.

No further action will be required by vessel owners. Vessel owners do not need to renumber their vessels as a result of this final rule, since existing hull numbers are unrelated to titling. No equipment is required by vessel owners for compliance. Table 2 below summarizes this section detailing potential costs of this final rule. All are considered indirect costs, as they are costs that may be imposed by the State on vessel owners as a result of this final rule, but not mandated by the rule itself. There are other potential costs of the rule detailed in future section. For a comprehensive list of all potential costs, please refer to table 1.

TABLE 2—SUMMARY OF POTENTIAL COSTS

Task	Description	Party bearing cost	Potential direct or indirect cost of final rule
Obtaining a vessel title (cost of title).	Costs to vessel owners, imposed by States without titling programs (7 States), that require vessel owners to obtain a title. Potential cost of obtaining title is $50.	Vessel owners in 7 States.	Potential indirect cost of final rulemaking.

[9] VIS participation is defined by the existence of a signed MOA.

[10] The five States that have adopted UCOTA–V are Connecticut, the District of Colombia, Florida, Hawaii, and Virginia. The four States in the process of adopting UCOTA–V are Alabama, Georgia, Tennessee, and Texas. This data is current as of January 21, 2020.

[11] According to BSX, recreational vehicle owners for the 10 compliant and semi-compliant States did not incur a cost increase.

[12] This statement is based on the Coast Guard's review of website information for 52 States (March 2020). For Virginia state fees, see *https://dwr.virginia.gov/boating/registration/procedure/.* For Florida state fees, see *https://www.flhsmv.gov/motor-vehicles-tags-titles/vessels/vessel-titling-registrations/.*

[13] The use of leisure time to obtain the title. The cost of this task may be calculated by the formula: one-half of the median household income. The Coast Guard followed the Department of Transportation's (DOT) guidance for valuing the opportunity cost of leisure time. Readers should consult the DOT Memorandum ''Revised Departmental Guidance on Valuation of Travel Time in Economic Analysis,'' which may be found at *https://www.transportation.gov/sites/dot.gov/files/docs/2016%20Revised%20Value%20of%20Travel%20Time%20Guidance.pdf.*

TABLE 2—SUMMARY OF POTENTIAL COSTS—Continued

Task	Description	Party bearing cost	Potential direct or indirect cost of final rule
Obtaining a vessel title (opportunity cost of obtaining title).	Costs to vessel owners, imposed by States without titling programs (7 States), who may experience opportunity costs for labor expended to obtain a title.	Vessel owners in 7 States.	Potential indirect cost of final rulemaking.
N/A	Costs to vessel owners, imposed by States with titling programs (47 States) that may impose additional costs or fees on vessel owners.	Vessel owners in 47 States.	Potential indirect cost of final rulemaking.

Costs to the Coast Guard

We estimate that the Government costs associated with this regulatory action will be labor costs for the Coast Guard to (1) process MOAs from the States; (2) coordinate with States; and (3) update the Coast Guard website. No additional equipment is needed to perform these tasks under this final rule.

In order to process an MOA, it is first transmitted from a State to a Coast Guard compliance officer in BSX and then to the Commandant (or designee) for approval. A Coast Guard compliance officer will engage and coordinate with and respond to inquiries from the States. We estimate that a Coast Guard compliance officer spends 0.25 hour to process an MOA from a State and another 0.25 hour to transmit it to the Commandant (or designee) for approval. The Commandant or designee spends 0.2 hour to approve an MOA (Cost = Count of MOAs × [(0.5 hour × Compliance officer's wage rate) + (0.2 hour × Commandant's wage rate)]).

As a result of this final rule, we estimate that the Coast Guard will need to engage and coordinate with, and respond to inquiries from, States regarding VIS participation and UCOTA–V compliance. Eighteen States are not in the VIS. We estimate that a Coast Guard compliance officer will need to coordinate with each of these States for VIS participation.[14] To engage with and respond to inquiries from States, we estimate that the compliance officer will spend 0.5 hour per State's inquiry to coordinate a response (Cost = 18 States × (0.5 hour × Compliance officer's wage rate)). For the 47 States needing to adopt UCOTA–V, we estimate that a Coast Guard compliance officer will spend 0.5 hour per State to assist (Cost = 47 States × (0.5 hour × Compliance officer's wage rate)).

Lastly, the Coast Guard will need to update its website with information on this final rule. We estimate that 1 hour will be needed by a computer technician and an additional 0.25 hour for a compliance officer to supervise and approve the update. This is a one-time task that is expected to occur in the first year of this final rule's enactment. (Cost = [(0.25 hour × Coast Guard compliance officer's wage rate) + (1 hour × Federal computer technician's wage rate)]).

TABLE 3—SUMMARY OF COSTS TO THE COAST GUARD

Task	Time burden and responsible party	Cost	Applicable population	Direct or indirect cost of final rule
Process MOA from States	0.25 hours to process MOA (*Coast Guard Compliance officer*). 0.25 hours to transmit for approval (*Coast Guard Compliance officer*). 0.2 hours for approval (*Commandant or designee*).	(0.5 hours × Coast Guard Compliance officer's wage rate) + (0.2 hour × Commandant or designee's wage rate) × 56 States.	One-time cost to the Coast Guard for all 56 States.	Direct.
Coordinate with States	0.5 hours for 18 States without VIS (*Coast Guard Compliance officer*). 0.5 hours for 47 States needing to adopt UCOTA–V (*Coast Guard Compliance officer*).	18 States × (0.5 hour × Coast Guard Compliance officer's wage rate). 47 States × (0.5 hour × Coast Guard Compliance officer's wage rate).	One-time cost to the Coast Guard for 18 States. One-time cost to the Coast Guard for 47 States.	Direct.
Update Coast Guard Website	1 hour to update (*Federal computer technician*). 0.25 hours to approve (*Coast Guard Compliance officer*).	0.25 hour × Coast Guard compliance officer's wage rate) + (1 hour × Federal computer technician's wage rate.	One-time cost to the Coast Guard.	Direct.

Costs to the Regulated Public

Compliance with this final rule will require a variety of tasks by the regulated public. This section documents the Coast Guard's assessment of this final rule's changes and the steps States need to take as a result. Not all tasks need to be carried out by all the States. In this section, we note first the tasks that apply to all States. Next are the tasks that result from this final rule. We split these tasks into categories to better calculate the costs, since some tasks apply to some States and others apply to other States, depending on their current level of compliance with existing rules.

[14] Readers may consult Coast Guard data at *https://cgmix.uscg.mil/VISInformation.aspx*. This web page was last viewed on January 21, 2020. Sixteen States have initiated VIS participation, but have not completed an MOA. Two States do not participate.

Below is a list of all costs to the regulated public:

Costs to the Regulated Public—States

All 56 States need to be familiarized with this final rule and to complete the task of reviewing their State's website for numbering and titling of vessels. Upon review of the State's procedures and websites, some States may need to make updates. These are discussed in more detail below.

The Coast Guard estimates that States will spend 0.5 hour to become familiarized with this final rule.[15] A manager typically will perform this task. A manager will spend another 0.5 hour to review the State's procedures and website to make a determination whether anything will need to change in response to this final rule (Cost = 56 States × 0.5 hour × State manager's wage rate). All 56 States may potentially need to update their websites, which would be accomplished by a computer technician. The Coast Guard estimates that this task will take 1 hour and be performed by a computer technician at the direction of a manager.[16] However, as the Coast Guard does not have an estimate on how many States will need to update a website, the cost is considered only a potential cost and is not factored into the cost analysis.

Although not explicitly required, some States may send email notifications or a press release to interested parties (such as the media, recreational boaters, boating associations, the Coast Guard Auxiliary, etc.). Another 0.5 hour is estimated for a State manager to write a notification of regulatory change for the public.[17] We estimate these as one-time costs to the State.

TABLE 4—SUMMARY OF COSTS TO STATES

Task	Time burden and responsible party	Cost	Applicable population	Direct or indirect cost of final rule
Become familiarized with rule	0.5 hours, State manager	Cost = (56 States × 0.5 hour × State manager's wage rate) + (56 States × 0.5 hour × State manager's wage rate).	One-time cost to all 56 States	Direct.
Review website	0.5 hours, State manager			Direct.
Update website (*not included in cost analysis.*).	1 hour, Computer technician	Cost = 1 hour × 56 States × Computer Technician's wage rate.	Potential one-time cost to all 56 States.	Potential direct cost.
Notification of change	0.5 hours, State manager	Cost = 0.5 hour × 56 States × State manager's wage rate.	One-time cost to all 56 States	Direct.

Costs to the Regulated Public—States (VIS Compliance Costs)

Based on BSX data,[18] we estimate that there are two States currently not in compliance with any existing VIS requirements. Some States are in partial compliance with existing requirements for the VIS. Coast Guard data demonstrates that 16 States have initiated VIS participation, but are not in compliance because they do not have a signed MOA with the Coast Guard. The remaining 38 States have signed MOAs, which means they are participating in the VIS.

The 16 States that have initiated VIS activity but do not have a signed MOA with the Coast Guard will need to complete the MOA process. In order to comply, States will incur costs to—

(1) coordinate with the Coast Guard for data transfer;

(2) prepare and submit a completed MOA and participation form; and

(3) engage in coordination activities to complete a new user request form.

All the VIS-participating States will engage in activities to upload data to the VIS. However, according to Info-Link Technologies,[19] the contractor responsible for VIS updates, VIS data uploads for each State are often an automated process, where software automatically prepares and uploads a data file each month. The economic impact of the data submission is zero as Info-Link Technologies already bears the cost for the data, which they receive from every State regardless of their participation in VIS. Thus, States that do not currently participate in VIS still engage in a virtual data submission with the contractor and will not incur an additional cost or time burden. As a result, we conclude that VIS data uploads will not produce costs to States new to VIS.

New VIS participants need to complete the new user request form. We estimate that it takes 0.1 hour to complete the form. These estimates are based on data provided by Info-Link Technologies and the Coast Guard's Collection of Information entitled ''Vessel Identification System,'' OMB Control Number: 1625–0070.[20]

Lastly, two States will have to address legislative conflicts with existing privacy laws that complicate or prevent VIS participation. We estimate that such a task will require that a manager negotiate the changes with a State legislative committee. An attorney will draft the legislation. Unlike UCOTA–V, which has uniform legislation to follow for each State, privacy law amendments may take more time to develop. We estimate that a manager will spend 40

[15] This estimate is based on a previous Coast Guard rulemaking. In the 2014 final rule for Personal Flotation Devices Labeling and Standards (79 FR 56491, October 22, 2014), the Coast Guard estimated that the task will take 0.5 hour (*https://www.federalregister.gov/documents/2014/09/22/2014-22373/personal-flotation-devices-labeling-and-standards*). Time estimate can be found under Table 2, ''State Regulatory Review.'' No public comments were received on this estimate. This page was last viewed on May 21, 2021.

[16] The Coast Guard estimates a manager will spend 0.25 hour to provide direction and supervise and approve the work of a computer technician.

[17] This estimate is based on the Coast Guard's final rule for Tankers Automatic Pilot Systems (83 FR 55272, November 05, 2018). Please see *https://www.federalregister.gov/documents/2018/11/05/2018-24127/tankers-automatic-pilot-systems*, Table 3, ''Write Notification of Regulatory Change,'' fourth entry (0.5 hours). This estimate is defined as ''Communicate regulatory change,'' which is an identical task undertaken by the State manager. This page was last viewed on May 21, 2021.

[18] *https://cgmix.uscg.mil/VISInformation.aspx.* This web page was last viewed on January 8, 2020.

[19] Email from Info-Link Technologies, Inc. to William Burgess, Compliance Officer, CG–BSX–1 dated February 5, 2020 (available in the docket where indicated under the **ADDRESSES** portion of this final rule).

[20] During the renewal process for the collection of information request, no public comments were received on the estimate. In preparing this final rule, the Coast Guard reviewed data and revised the estimate for the duration of labor to upload VIS data. The revision better reflects the amount of time needed to perform periodic uploads of automated data.

hours to negotiate legislative changes to privacy laws, and an attorney will spend another 40 hours to draft this legislative language. However, State laws are often voted in blocks and the labor to put the amended privacy legislation forward and to vote on it is unseverable. For that reason, we have not estimated a cost for either step.

We computed a cost to transmit VIS data to the Coast Guard for 18 States on the basis that States may correspond with the Coast Guard to initiate the data transfer or may have issues in their computer systems preventing automatic data transfer. In the event that this occurs, the State may send spreadsheets to the Coast Guard, and a technician contracted to the Coast Guard will upload the data. However, we acknowledge that this is already a task under existing regulations and, in most cases, data is automatically transmitted.

TABLE 5—SUMMARY OF COSTS

[VIS Compliance]

Task	Time burden and responsible party	Cost	Applicable population	Direct or indirect cost of final rule
Prepare and submit an MOA	16 hours (*State manager*)	18 States × (16 hours × State Manager wage rate).	One-time cost for 18 States ..	Direct.
Complete New User request form.	0.1 Hour (*State manager*)	18 States × (0.1 hour × State Manager wage rate).	One-time cost for 18 States ...	Direct.
Coordinate with Coast Guard for data transfer.	1 hour (*State manager*)	18 States × (1 hour × State Manager wage rate).	Potential one-time cost for States with issues with the automatic data transfer. (*Even though considered potential, included in cost analysis due to potential correspondence to initiate data transfer or issues with automatic data transfer.*).	Direct (Potential).
Draft legislative language to amend privacy laws.	40 hours (*State manager*) ..... 40 hours (*State attorney*)	2 States × [(40 hours × State Manager wage rate) + (40 hours × State attorney wage rate)].	One-time cost for 2 States	Direct.

Costs to the Regulated Public—States in UCOTA–V Adoption (Final Subpart D Compliance)

We base our cost estimates on all 56 States choosing to adopt UCOTA–V. As of January 16, 2020, five States have adopted UCOTA–V, and five States are developing legislation to become UCOTA–V-compliant.[21] Many of the remaining States have reported that they are waiting for the Coast Guard to issue a rule on UCOTA–V before going through the legislative process. In addition, States often wait for their neighboring States to adopt legislation that potentially has effects across State borders. Insurers and manufacturers have requested the changes. For these reasons, the Coast Guard estimates that all 56 States will adopt UCOTA–V.

Currently, 47 States have neither adopted UCOTA–V nor initiated legislation to do so. The cost analysis of UCOTA–V adoption focuses solely on these 47 States. In order to comply with this final rule, States will need to develop legislation and amend their computer systems to comport with UCOTA–V. As noted earlier, all States will post information on their websites about this final rule; that task appears in the *Costs to the Regulated Public—States* section of this analysis.

In order to develop UCOTA–V legislation,[22] a State will require the labor of an attorney [23] to draft the legislation [24] for a State legislative committee to begin the legislative process. The ULC has developed legislative text for UCOTA–V, which each State may use to develop its respective State law. For this reason, the labor requirement for each State is relatively low. We estimate that an attorney will spend approximately 24 hours [25] to draft this legislative language. Given that State laws [26] are often voted in blocks, the labor to put UCOTA–V legislation forward and to vote on it is considered to be unseverable and, for that reason, we have not estimated a further cost on developing legislation.

States adopting UCOTA–V will need to update their procedures and websites to reflect the resulting changes. We estimate that 5 hours will be spent by a State manager to review and edit State procedures, manuals, policy documents, and other information (Cost = (47 States × (5 hours × State manager's wage rate)).[27]

[21] Email from the ULC to William Burgess, Compliance Officer, Coast Guard (January 16, 2020) (available in the docket where indicated under the **ADDRESSES** portion of this final rule).

[22] For all uniform acts, the State's legislative drafting office mainly formats the bill to conform to the State's required format and fill in bracketed areas of the text. The ULC (*https://www.uniformlaws.org/home*) also includes italicized legislative notes when they format the bill for the particular State. This allows the time to draft the bill to be relatively shorter than with other regulations.

[23] Each State has its own legislative drafting agency responsible for drafting legislation. The bill drafters are attorneys who draft bills for all the state legislators.

[24] As this is part of the State's normal legislative process, we do not anticipate any additional fees beyond the normal process for these bills.

[25] This estimate comports with previous estimated durations of making legislative changes at the State level. In the final rule for Personal Flotation Devices Labeling and Standards (79 FR 56491, Sept. 22, 2014), the Coast Guard estimated that a legislative change would take 10 hours. No public comments were received on this estimate. In this final rule, the Coast Guard adjusted this estimate to reflect the more complex nature of this change.

[26] Some States may delegate the approval process of such changes to an administrative law committee rather than vote on it in the legislature. The process to develop the law and put it forward for voting would be the same.

[27] This estimate aligns with other estimated durations of reviewing and editing manuals and policy documents. The Coast Guard reviewed previously approved OMB collections for the final rule for Marine Vapor Control Systems (80 FR 54418, September 10, 2015), the proposed rule for Revision of Crane Regulation Standards for Mobile Offshore Drilling Units (MODUs), Offshore Supply Vessels (OSVs), and Floating Outer Continental Shelf (OCS) Facilities (78 FR 27913, May 13, 2013), and the final rule for Personal Flotation Devices Labeling and Standards (79 FR 56491, Sept. 22, 2014). Previously approved collections of information may be found at *https://www.reginfo.gov/public/do/PRAMain*. No public comments were

Continued

The remaining UCOTA–V compliance costs items are—

(1) labor for a manager (30 minutes) to coordinate with the Coast Guard to ensure the State's program meets UCOTA–V certification requirements (Cost = 47 States × (0.5 hour × State manager's wage rate));

(2) labor for an administrative assistant (15 minutes) and a manager (45 minutes) to assist with the conversion or update to a subpart D-compliant system (Cost = 47 States × [(0.25 hour × administrative assistant's wage rate) + (0.75 hour × State manager's wage rate)]);

(3) labor for a manager (15 minutes) to oversee conversion to a subpart D-compliant system (Cost = 47 States × (0.25 hour × State manager's wage rate)); and

(4) labor for a software developer (756 minutes) to convert the system to a subpart D compliant system (Cost = 47 States × (12.6 hours × computer technician's wage rate)).

These tasks and their calculations are shown in table 6.[28]

For the seven States that do not have an existing titling program, the labor tasks for amending State's computers to comport with UCOTA–V are greater. We estimate that 24 hours will be spent by a computer technician in these States to amend the State's computers to comport with UCOTA–V, and that a manager will spend another 0.5 hour to review and approve the work.

BSX routinely contacts States regarding their vessel titling systems. There are currently 45 States titling vessels and 1 State that makes titling optional.[29] Provided that these States become compliant with the recent regulatory changes in the Standard Numbering System, Boating Accident Report Database, and VIS (33 CFR parts 173, 174, 181, and 187) by the required date, any changes made to the current titling systems should be minimal.

Coast Guard personnel attended the National Association of State Boating Law Administrators Workshop held in Lexington, KY from February 23 to 28, 2020. Approximately 40 boating administrators from the States were in attendance, and representatives from 4 States (Wisconsin, Minnesota, Alaska, and South Carolina) indicated they were contemplating adopting UCOTA–V. None of these 4 States have conducted a complete cost analysis, but the initial projected cost ranged from $0 to about $8,000.

The primary changes required include the ability to mark a title as ''branded,'' and to add any numbered vessels that are not currently required to be titled. For example, Virginia adopted UCOTA–V and reprogrammed their system to accept the branded designation. According to the State of Virginia's Boating Law Administrator (BLA),[30] this was accomplished at no cost to the State.[31]

The remaining 11 States that do not currently title vessels do title vehicles, and their vehicle titling systems could add vessels. As an example, Connecticut (previously a non-titling State) adopted UCOTA–V and its Department of Motor Vehicles began issuing titles for vessels.[32] This process is analogous to registering a motor vehicle. In other words, at the time a person buys a car, the owner must register and title the car with the cognizant state. Likewise, a vessel owner will now be able to register and title vessel at the same time and in the same place. Connecticut did not incur any new costs associated with this transition since it used the existing infrastructure, and the change was completed as a part of an information technology update as per the State BLA.[33]

The 10 States that have adopted or have begun adopting the UCOTA–V model have engaged in the tasks noted in this text as costs of compliance. For example, they have already collaborated with the Coast Guard regarding their vessel titling system updates. These States will not incur additional costs because they elected to adopt the UCOTA–V model prior to this regulation. These States will not require the use of a computer technician to upgrade the computer system because the conversion has taken place already. No further action is needed by States in this situation. As noted earlier, these States are already familiar with UCOTA–V and will review their existing procedures as a result of this final rule.

TABLE 6—SUMMARY OF COSTS FOR SUBPART D COMPLIANCE

Task	Time burden and responsible party	Cost	Applicable population	Direct or indirect cost
Draft UCOTA–V legislative language.	2 hours *(State manager)* 5 hours *(State attorney)*.	47 States × [(2 hours × State manager wage rate) + (5 hours × State attorney wage rate)].	One-time cost for 47 States ..	Direct.

received on these estimates. The Coast Guard adjusted its estimate to reflect changes in complexity of the task.

[28] According to BSX, most States use an ''off-the-shelf'' system, so changes are easy and menu driven. Some States have older systems that will take more time to adjust, but the older systems are the exception, not the rule. The Coast Guard estimates the average number of hours of labor for a computer technician by using the average time spent on design and coding from a University of South Carolina study on software developers. Readers can find the study at *https://cse.sc.edu/job/how-software-developers-really-spend-their-time.* The study uses the average number of hours per week software developers spend designing and coding software. The Coast Guard considers this to be a reasonable rough proxy for the purpose of this analysis.

[29] Email from NASBLA Vessel Registration, Identification, and Titling Committee to William Burgess, Compliance Officer, Coast Guard, February 10, 2010. Available in the docket where indicated under the **ADDRESSES** portion of this final rule.

[30] The governor of each State appoints a single agency to be the recipient and administrator of grant funds received from the State Recreational Boating Safety Grant Program, which is authorized under 46 U.S.C. Chapter 131. These State agencies, in turn, appoint a BLA to be the State's single point of contact for the purposes of administering the grant program. Although duties can vary from State to State, every State has an assigned BLA whose primary function is to administer the recreational boating safety program within the State. The BLA for Virginia is an employee with the Virginia Department of Game and Inland Fisheries.

[31] Conversation at the National Association of State Boating Law Administrators Workshop (circa February 28, 2018 to March 1, 2018) with Mr. Thomas Guess, Boating Law Administrator, Virginia, and William Burgess, Compliance Officer, Coast Guard. According to the Virginia BLA, updates to the system are included as a part of routine information technology maintenance. See also *https://community.nasbla.org/blogs/thomas-guess/2018/08/23/ucotva-in-virginia.* The website is dated August 23, 2018, and was last viewed on February 5, 2020.

[32] No changes will be required to any State's systems to facilitate population of the VIS. Data received from the States for inclusion in the VIS will be handled by the Coast Guard contractor and reformatted as necessary to populate the VIS database. We do not expect States to incur additional costs as the cost is already captured under the existing Coast Guard long-term contract for management and maintenance of the VIS.

[33] Conversation at the National Association of State Boating Law Administrators Workshop (circa February 28, 2018 to March 1, 2018) with Ms. Eleanor Mariani, Boating Law Administrator, Connecticut, and William Burgess, Compliance Officer, Coast Guard.

TABLE 6—SUMMARY OF COSTS FOR SUBPART D COMPLIANCE—Continued

Task	Time burden and responsible party	Cost	Applicable population	Direct or indirect cost
Coordinate with Coast Guard for compliance and certification.	0.5 hours *(State manager)*	47 States × (0.5 hour × State manager wage rate).	One-time cost for 47 States ..	Direct.
Assist with update and convert to compliant computer system.	0.25 hours (*admin assistant*) 0.75 hours (*State manager*).	47 States × [(0.25 hour × admin assistant wage rate) + (0.75 hour × State manager wage rate)].	One-time cost for 47 States ..	Direct.
Oversee update or conversion to compliant system.	0.25 hours (*State manager*) ..	47 States × (0.25 hour × State manager wage rate).	One-time cost for 47 States ...	Direct.
Update or convert to a compliant system.	12.6 hours (*computer technician*).	47 States × (12.6 hours × computer technician wage rate).	One-time cost for 47 States ..	Direct.
Amend State's computers to comport with UCOTA–V. (*Applies to States without an existing titling program.*).	2 hours (*computer technician*) 0.25 hours (*State manager*).	7 States × [(2 hours × computer technician wage rate) + (0.25 hour × State manager wage rate)].	One-time cost for 7 States	Direct.
Update State procedures or processes.	5 hours (*State manager*)	47 States × (5 hours × State manager wage rate).	One-time cost for 47 States ..	Direct.
Post updated procedures on website.	0.25 hours (*State manager*) 1 hour (*computer technician*).	24 States × [(0.25 hour × State manager wage rate) + (1 hour × computer technician wage rate)].	One-time cost for 24 States ..	Direct.

Cost Calculations for the Final Rule

We discuss the derivation of cost data in the following paragraphs. We estimate the approximate loaded hourly labor rates of State employees as follows: Manager ($94.30); administrative assistant ($33.81); computer technician ($67.98); and lawyer ($124.57). The loaded wage factor is 1.74 for non-managerial State workers and 1.56 for managers at the State level, based on Bureau of Labor Statistics (BLS) data. See table 7 for details.

TABLE 7—LOADED WAGE FACTOR CALCULATION

[$2020]

Personnel category	Data source(s) [1]	Total compensation	Wage & salaries	Loaded wage factor
All Workers, State and Local Government.	BLS Employer Costs for Employee Compensation, all workers in State and Local Government.	$51.54	$29.54	1.74
Managers, State and Local Government.	BLS Employer Costs for Employee Compensation, Managers in State and Local Government.	64.02	41.02	1.56
Coast Guard Uniform Positions.	2020 Military Active & Reserve Component Pay Tables [2]	.....	.....	.....

[1] A loaded wage rate is what a company pays per hour to employ a person, including the hourly wage and the cost of benefits (health insurance, vacation, etc.). To calculate the load factor, we used the series IDs CMU3019200000000D (for all workers) and CMU3010000100000D (for managers, professional and related occupations) using the multi-screen database. To repeat this process, visit *https://data.bls.gov/cgi-bin/dsrv?cm* and select ''State and local government workers.'' Select ''Total Compensation'' and ''Wages and salaries.'' Select ''All workers'' or ''Management, professional and related occupations.'' Select ''Public administration.'' Select ''All workers.'' Select ''United States.'' Select ''Cost of Compensation.'' Select ''Not seasonally adjusted.'' Finally, use values for the fourth quarter of 2020 to calculate the load factor by dividing total compensation by wages and salaries.

[2] *https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables.html.* Select table named ''2020 Military Active & Reserve Component Pay Tables''. Data was posted on December 30, 2019 and web page was last updated January 27, 2020. This page was last viewed on January 18, 2022.

For all provisions with costs to the Government, we use publicly available data found on OPM's website under ''Policy, Data, and Oversight'' and in the Congressional Budget Office's report, ''Comparing the Compensation of Federal and Private-Sector Employees, 2011 to 2015.'' We estimate labor costs attributed to the Government Coast Guard compliance officers, GS–14 managers, GS–13 computer technicians, and the Commandant. We estimate the fully loaded labor costs for a GS–13 and GS–14 compliance officer at $71.03 and $79.48 respectively.[34] We use a weighted average of the wage rates ($73.14) for calculations. We estimate the wage rate for a GS–14 manager at $79.48, the wage rate for a GS–13 computer technician at $71.03, and the wage rate for the Commandant (O–10) at $163. This figure represents a loaded

[34] *https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/.* Labor costs calculated by (1) finding hourly wage rate for GS-level under ''2020 General Schedule (Base)''. Choose Step 5 value. (2) To calculate load factor, we go to *https://www.cbo.gov/system/files/115th-congress-2017-2018/reports/52637-federalprivatepay.pdf.* Use tables 2 and 4. Divide the total compensation by the wages for a Federal employee. Multiply by hourly wage rate obtained from OPM. GS–13 falls under ''Master's Degree'' and GS–14 falls under ''Professional/Doctorate Degree''. For the Master's Degree we end up with a benefits to wage ratio, using this method, of $74.80/$45 = 1.66 and for the Professional/Doctoral Degree of $81.70/$51.90 = 1.56. Using these to obtain a fully burdened rate, we end up, for the GS–13 labor, $42.73 × 1.66 = $ $71.03 and, for the GS–14 labor, $50.49 × 1.56 = $79.48.

wage rate for uniformed Coast Guard positions.[35]

For positions outside the Coast Guard, we use publicly available data from the BLS Occupational Compensation Survey to estimate wage rates for State and local positions that will be impacted by the final rule. We present the estimated wage rates and a summary of the data for the final rule in table 8.

TABLE 8—LOADED WAGE CALCULATION

[$2020]

Personnel category	Data source(s) [1]	Mean hourly wage	Load factor	Loaded wage
Computer Developer	Software Developers, Applications (OC 15–1256) [2]	$54.94	1.74	$95.60
Administrative Support	Secretaries and Administrative Assistants, Except Legal, Medical, and Executive (OC 43–6014) [3].	19.43	1.74	33.81
General Manager	General and Operations Managers (OC 11–1021) in Management Occupations [4].	60.45	1.56	94.30
Lawyer	Lawyers, Judges, and Related Workers (OC 23–1011) in the Legal Occupations [5].	71.59	1.74	124.57
Coast Guard Commandant (O–10).	Military Active & Reserve Component Pay Tables [6]			163
Civilian Computer Technician (GS–13).	OPM Salary Table (2020)	42.73	1.66	71.03
Civilian Manager (GS–14)	OPM Salary Table (2020)	50.49	1.57	79.48
Coast Guard Compliance Officer (GS–13).	OPM Salary Table (2020)	42.73	1.66	71.03
Coast Guard Compliance Officer (GS–14).	OPM Salary Table (2020)	50.49	1.57	79.48
Coast Guard Compliance Officer (average) [7].	Weighted average by the formula: [(0.75 × $71.03 GS–13 Compliance Officers' wage rate) + (0.25 × $79.48 GS–14 Compliance Officers' wage rate)].			73.14

[1] To calculate the loaded wages, we used Occupational Code 11–1021 (*General and Operations Managers*) for general managers, Occupational Code 43–6014 (*Secretaries, Except Legal, Medical, and Executive*) for clerical, and Occupational Code 15–1256 (*Software Developers and Software Quality Assurance Analysts and Testers*) for computer developers. Please see the footnotes to table 7 for instructions on calculating load factors.

[2] *https://www.bls.gov/oes/current/oes151256.htm.*

[3] *https://www.bls.gov/oes/2020/may/oes436014.htm.*

[4] *https://www.bls.gov/oes/2020/may/oes111021.htm.*

[5] *https://www.bls.gov/oes/2020/may/oes231011.htm.*

[6] *https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables.html.*

[7] Coast Guard compliance officers consist of GS–13s and GS–14s. There are four Coast Guard employees who will complete this requirement (three GS–13s and one GS–14). To calculate the in-government wage rate, we calculated three-fourths of the GS–13 in-government wage rate ($71.03) and one-fourth of the GS–14 in-government wage rate ($79.48) and added them together to estimate a more accurate wage rate for the team that will complete this process.

We estimate the costs in this RA in 2020 dollars based on BLS wage rates. We estimate the total cost for States to be $182,607, undiscounted (not including Government costs). We estimate the total Government costs associated with this final rule to be $14,537. We show the summary of compliance costs in table 9.

TABLE 9—ESTIMATED COST OF FINAL RULE [1]

CFR citation	Task [2]	Cost calculation	Total costs
Costs to Regulated Public (States)			
General Compliance Costs (All States) (See table 3) (One-time costs for States):			
33 CFR 187	Become familiar with Final Rule	56 States × (0.5 hour × $94.30/hour State manager).	$2,640
33 CFR 187	Review procedures and website	56 States × (0.5 hour × $94.30/hour State manager).	$2,640
33 CFR 187	Write press release or email	56 States × (0.5 hour × $94.30/hour State manager).	$2,640
33 CFR 187	Update website. *(Potential cost, not used in analysis).*	56 States × (1 hour × $95.60/hour computer technician).	Not in cost calculations.
Subtotal—General Compliance Costs (States).			$7,921
VIS Compliance Costs (States) (See table 5) (One-time costs for States):			

[35] The load factor for uniformed positions is based on the Coast Guard's analysis of compensation and benefits of Coast Guard enlisted and commissioned personnel based on data found in *https://www.dfas.mil/militarymembers/payentitlements/Pay-Tables.html.* This page was last viewed on December 20, 2019.

TABLE 9—ESTIMATED COST OF FINAL RULE [1]—Continued

CFR citation	Task [2]	Cost calculation	Total costs
33 CFR 187.7	Prepare and submit an MOA	18 States × (16 hours × $94.30/hour State manager).	$27,158
33 CFR 187.7	Complete New User request form	18 States × (0.1 hour × $94.30/hour State manager).	$170
33 CFR 187.7	Coordinate with Coast Guard for data transfer. *(Potential cost, but used in analysis).*	18 States × (1 hour × $94.30/hour State manager).	$1,697
33 CFR 187.7	Draft legislative language to amend privacy laws.	2 States × [(40 hours × $94.30/hour State manager) + (40 hours × $124.57/hour State attorney)].	$17,510
33 CFR 187.7	Put forward and vote on the privacy legislation.	Applies to 2 States	Unquantified.
Subtotal—VIS Compliance Costs (States).			$46,535
UCOTA–V Adoption (Subpart D) Compliance Costs (States) (See table 6) (One-time costs for States):			
33 CFR 187.306	Draft UCOTA–V legislative language	47 States × [(2 hours × $94.30/hour State manager) + (5 hours × $124.57/hour State attorney)].	$38,138
33 CFR 187.306	Put forward and vote on the privacy legislation.	Applies to 47 States	Unquantified.
33 CFR 187.306	Coordinate with Coast Guard for compliance and certification.	47 States × (0.5 hour × $94.30/hour State manager).	$2,216
33 CFR 187.312	Assist with update and convert to compliant system.	47 States × [(0.25 hour × $33.81/hour admin assistant) + (0.75 hour × $94.30/hour State manager)].	$3,721
33 CFR 187.312	Oversee update or conversion to compliant system.	47 States × (0.25 hour × $94.30/hour State manager).	$1,108
33 CFR 187.312	Update or convert to a compliant system.	47 States × (12.6 hours × $95.60/hour computer technician).	$56,614
33 CFR 187.312	Amend State's computers to comport with UCOTA–V.	7 States × [(2 hours × $95.60/hour computer technician) + (0.25 hour × $94.30/hour State manager)].	$1,503
33 CFR 187	Update procedures or processes	47 States × (5 hours × $94.30/hour State manager).	$22,161
33 CFR 187	Post updated procedures on website	24 States × [(0.25 hour × $94.30/hour State manager) + (1 hour × $95.60/hour computer technician)].	$2,860
Subtotal: UCOTA–V (Subpart D) Compliance Costs (States).			$128,321
Total Cost for Regulated Public (States).			$182,607
Federal Government Costs (One-time cost to Government for States affected)			
33 CFR 187.306	Process New User request from States	18 States × (0.5 hour × $73.14/hour Compliance Officer).	$658
33 CFR 187.306	Process an MOA from States	18 States × [(0.2 hour × $163/hour Commandant) + (8.25 hours × $73.14/hour Compliance Officer)].	$11,448
33 CFR 187.306	Coordinate with 18 States for VIS	18 States × (0.5 hour × $73.14/hour Compliance Officer).	$658
33 CFR 187.312	Coordinate with 47 States on UCOTA–V certification.	47 States × (0.5 hour × $73.14/hour Compliance Officer).	$1,682
33 CFR 187	Update Coast Guard's website. (Initial year cost).	(1 hour × $71.03/hour computer technician) + (0.25 hour × $79.48/hour Federal manager).	$91
Total for Federal Government (Coast Guard).			$14,537
Total for Regulated Public and Government.			$197,148

[1] Totals may not sum due to rounding. Undiscounted costs appear in the table.
[2] "Potential indirect costs" not included (See table 2). Unquantified costs included but are not part of cost calculations.

Total Costs

Using a 7-percent discount rate, we estimate the total discounted cost of the final rule to be $138,490 (rounded). The total annualized cost at a 7-percent discount rate is $19,718 (rounded). See table 10.

For the estimated cost to the regulated public, the Coast Guard expects all States will comply within 10 years of this rule. However, we do not have specific information as to the rate of compliance. As such, we assume equal probability for each year; that is, we estimate 10 percent will comply each year for the next 10 years. Given this, the total cost to the regulated public, as shown in table 9, is $182,607. This is $18,261 (rounded) when averaged across 10 years.

For the cost to the Government, we assume that the $91 website update will occur in the first year. Subtracting that, we calculate the annual cost over the next 9 years by dividing the total by 10 ($1,445). The first year cost to Government will be $1,445 + $91, which is $1,536.

TABLE 10—TOTAL ESTIMATED COST OF THE FINAL RULE

[10-year period of analysis, 7- and 3-percent discount rates ($2020)] [1]

Year	Costs to the regulated public (states)			Costs to the government			Total estimated costs		
	Undiscounted	7%	3%	Undiscounted	7%	3%	Undiscounted	7%	3%
1	$18,261	$17,066.07	$17,728.83	$1,536	$1,435.51	$1,491.26	$19,797	$18,501.59	$19,220.10
2	18,261	15,949.60	17,212.46	1,445	1,262.12	1,362.05	19,706	17,211.72	18,574.51
3	18,261	14,906.17	16,711.13	1,445	1,179.55	1,322.38	19,706	16,085.72	18,033.51
4	18,261	13,931.00	16,224.40	1,445	1,102.38	1,283.86	19,706	15,033.38	17,508.26
5	18,261	13,019.63	15,751.84	1,445	1,030.27	1,246.47	19,706	14,049.89	16,998.31
6	18,261	12,167.88	15,293.05	1,445	962.86	1,210.16	19,706	13,130.74	16,503.21
7	18,261	11,371.85	14,847.62	1,445	899.87	1,174.92	19,706	12,271.72	16,022.54
8	18,261	10,627.89	14,415.17	1,445	841.00	1,140.70	19,706	11,468.90	15,555.86
9	18,261	9,932.61	13,995.31	1,445	785.98	1,107.47	19,706	10,718.60	15,102.78
10	18,261	9,282.81	13,587.68	1,445	734.56	1,075.22	19,706	10,017.38	14,662.89
Total	182,607.00	128,255.52	155,767.47	14,537.00	10,234.12	12,414.49	197,148.00	138,489.64	168,181.97
Annualized	.....	18,260.70	18,260.70	.....	1,457.11	1,455.36	.....	19,717.81	19,716.06

[1] Totals may not sum due to independent rounding.

Benefits

This final rule amends the Coast Guard's existing regulations (see 33 CFR 187 subpart D, ''Guidelines for State Vessel Titling Systems'') to better align with UCOTA–V. The final rule encourages uniformity amongst the States through the adoption of the UCOTA–V model, in its entirety or in part, and follows recommendations by the National Boating Safety Advisory Council and NASBLA. Although the movement to harmonize State titling laws has existed for some time, not all States have pursued legislation. Some States have chosen to wait for the Coast Guard to pass the UCOTA–V regulation.

This final rule also promotes consumer protection against fraud. A large number of recreational vessels are resold annually. In 2017, there were approximately 1.1 million pre-owned vessels sold in the United States.[36] Given this large number, the industry is vulnerable to the types of fraud UCOTA–V is designed to prevent.

The final rule facilitates the procurement of secured loans on vessels. If the Coast Guard does not certify a State titling system, then a State cannot confer preferred mortgage status on a mortgage or security interest for a vessel, which functions as a security measure for financial entities. Many financial institutions require eligible vessels to be documented and to have their preferred mortgages recorded. A preferred mortgage is considered more secure, with less risk to the lender. This places the lender in a position to provide lower interest rates over longer terms to the consumer. In turn, the lender may earn more over the term of the loan with less risk. More specifically, the lender faces a lower risk of loans defaulting; therefore, the lender's loan portfolio may provide better returns despite the lower interest rates offered to borrowers.

The consumer benefits as well. With preferred loans, the borrower has a loan with better terms. Relative to a non-preferred loan, the consumer pays less per month due to the lower interest rate on preferred loans.

In addition, consistent titling procedures across States will deter the practice of ''title washing,'' which occurs after the sale of a damaged vessel for salvage when the buyer makes cosmetic repairs and resells the vessel without disclosing its previous damage. Recreational boaters may benefit from this final rule by being able to assist States and law enforcement in recovering their lost or stolen vessels.

Furthermore, we intend this final rule to promote maritime security by facilitating State participation in the VIS. After the September 2001 terrorist attacks, a Coast Guard gap analysis showed that law enforcement agencies, including the Coast Guard, lacked the ability to easily and verifiably identify recreational vessels and their owners and operators, especially when a vessel is registered in a State other than that in which the law enforcement agency operates. This inability deprives law enforcement agencies of critical tools for deterring crime and maritime-based terrorism.

Since its inception in 2007, the VIS has remedied this inability by collecting and providing verifiable data for vessels in VIS-participating States. However, as of May 10, 2022, 16 States still do not participate in the VIS.[37] Facilitating full VIS participation by these States will enhance maritime security. Because of the high level of interest among the States in aligning their vessel titling systems with UCOTA–V, aligning our subpart D regulations with UCOTA–V will make it easier for States to obtain subpart D certification.

Alternatives Considered

Alternative 1—Take no action. This alternative would allow existing regulations to remain in conflict with State laws and UCOTA–V. For States complying with the existing regulations, this alternative would result in them not receiving the benefits of deterred ''title washing,'' recovery and identification of

[36] *https://boatingindustry.com/news/2021/11/09/pre-owned-boat-sales-exceeded-one-million-units-in-2020-for-the-first-time-since-2006/* (''Pre-owned boat sales exceeded one million units in 2020 for the first time since 2006,'' November 9, 2021). Accessed and last viewed on May 12, 2022.

[37] *https://cgmix.uscg.mil/VISInformation.aspx?VISOption=.*

abandoned vessels, consumer fraud protection, and security measures for financial entities. Participation in the VIS would continue at its current low rate. This alternative would result in no additional costs, as no new regulations would be implemented, but would also result in no benefits, as there would be no changes to current practice. Therefore, we rejected this alternative.

Alternative 2—This is the preferred alternative. This alternative will change the guidelines in subpart D so that any State that adopts UCOTA–V and participates in the VIS would be in compliance. This will encourage compliance and participation and provide benefits to States, lenders, and consumers. The cost implications associated with this alternative are specified in the Costs section of this RA and assume 100 percent participation from all 56 States. The total 7 percent discounted cost over 10 years will be $176,570. The qualitative benefits would be increased mitigation of fraudulent ownership, the creation of uniformity amongst the States, which will help facilitate transfers of vessel ownership, to deter theft of vessels and aid law enforcement agencies by making recovery of stolen vessels across State lines easier, promote consumer protection, and facilitate making secured loans on vessels. Therefore, this is the preferred alternative.

Alternative 3—This alternative would repeal existing guidelines for certification of State titling requirements and allow States to regulate vessel titling with no coordination or oversight. This would remove the ability for States to establish separate programs to enable vessels to gain preferred mortgage status and discourage participation in the VIS. In this scenario, each State would have a unique vessel titling system; this alternative would produce varying costs and benefits, which may be beneficial to the States as they could customize a titling program to meet their specific needs. However, we are unable to estimate the costs due to the number of possibilities offered, and they would occur without coordination or oversight from the Coast Guard. Harmonization of regulations across States would be impossible. As this would not satisfy the goals of this regulatory action, we rejected this alternative.

B. Small Entities

Under the Regulatory Flexibility Act, 5 U.S.C. 601–612, we have considered whether this final rule will have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Based on the analysis above, this final rule will affect 56 States and U.S. territories.[38] All governmental jurisdictions that will potentially be directly regulated by this final rule have populations greater than 50,000. These entities are not considered to be small entities based on the Small Business Administration's definition of what is a small governmental jurisdiction.[39] Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities.

C. Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996, Public Law 104–121, we offer to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

D. Collection of Information

This final rule calls for the modification of an existing collection of information under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3520. As defined in 5 CFR 1320.3(c), ''collection of information'' comprises reporting, recordkeeping, monitoring, posting, labeling, and other similar actions. The title and description of the information collections, a description of those who must collect the information, and an estimate of the total annual burden follow. The estimate covers the time for reviewing instructions, searching existing sources of data, gathering and maintaining the data needed, and completing and reviewing the collection.

Title: Vessel Identification System.

OMB Control Number: 1625–0070.

Summary of the Collection of Information: Public Law 100–710 (46 U.S.C. 12501) requires the establishment of the VIS, which provides participating States with access to data of vessels numbered by States. States voluntarily provide the VIS data. The States, boating public, and law enforcement are the primary beneficiaries. To become part of the VIS, States must submit an MOA to the Coast Guard.

Need for Information: The VIS collects State-numbered vessel identification and ownership data and provides that data to law enforcement agencies in the States that choose to participate in the VIS. Participation in the VIS is entirely voluntary. In order to participate, States must comply with certain requirements to ensure the integrity and uniformity of the information provided to the VIS.

Proposed Use of Information: The Coast Guard will use this information to track vessel information and facilitate the recovery of stolen or missing vessels.

Description of the Respondents: The 50 States, District of Columbia, and 5 territories. The Coast Guard describes these as ''56 States.''

Number of Respondents: As a result of the proposal, the Coast Guard anticipates that there will be two additional States joining the VIS annually until all States join. Over a 10 year period, this final rule will increase the number of respondents from 38 States to 56 States.

Frequency of Response: The number of responses per year of this final rule will vary by participating States. New MOA applications, VIS user requests, and VIS data uploads are required with the initial MOA application process. For existing participants, VIS user requests and VIS data uploads are required. Based on the current collection of VIS information data, the Coast Guard anticipates that each new participant will submit an MOA application once, a VIS user request once a year, and upload VIS data every 2 weeks.

Burden of Response: The burden of response includes three components—MOA applications, VIS data uploads, and VIS user requests. The burden for an MOA application, VIS data upload and VIS new user request form are 16 hours, 0.6 hour, and 0.1 hour, respectively. An MOA application and a VIS new user request form will be prepared by a manager. A computer technician will handle the VIS data upload

Estimate of Total Annual Burden: This final rule will require additional hours for VIS data uploads (32 hours annually),[40] MOAs (32 hours annually), and VIS user requests (1 hour

[38] *See* 46 U.S.C. 123. The only issuing authorities are the 56 States. Tribal governments are excluded legally as authorities from numbering and titling vessels.

[39] Small governmental jurisdictions are defined as governments of cities, counties, towns, townships, villages, school districts, or special districts with a population of less than 50,000.

[40] Rounded from the actual 31.2 hours.

annually).[41] The final rule will increase the total burden by 64 hours (rounded from the actual 63.3 hours), from 5,792 hours to 5,856 hours.[42]

As required by 44 U.S.C. 3507(d), we will submit a copy of this rule to OMB for its review of the collection of information. You are not required to respond to a collection of information unless it displays a currently valid OMB control number. OMB has not yet completed its review of this collection.

E. Federalism

A rule has implications for federalism under Executive Order 13132 (Federalism) if it has a substantial direct effect on States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. We have analyzed this final rule under Executive Order 13132 and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in Executive Order 13132. Our analysis follows.

The purpose of this final rule is to revise Coast Guard requirements for State participation in the Coast Guard-maintained VIS and guidelines for State vessel titling systems. The Coast Guard is mandated to establish and maintain the VIS, but State participation in the VIS is voluntary. Nothing in this final rule requires States to participate in the VIS. However, once electing to participate in the VIS, a State must comply with the VIS requirements to ensure integrity and uniformity of information. Likewise, requesting certification that a State vessel titling system complies with the guidelines is also voluntary, but such a system must comply with subpart D for voluntary certification. This final rule will not require States to request certification, change their existing titling systems, or otherwise preempt related State regulations. Therefore, the final rule is consistent with the principles of federalism and preemption requirements in Executive Order 13132.

F. Unfunded Mandates

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531–1538, requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 (adjusted for inflation) or more in any one year. Although this final rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

G. Taking of Private Property

This final rule will not cause a taking of private property or otherwise have taking implications under Executive Order 12630 (Governmental Actions and Interference with Constitutionally Protected Property Rights).

H. Civil Justice Reform

This final rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988 (Civil Justice Reform) to minimize litigation, eliminate ambiguity, and reduce burden.

I. Protection of Children

We have analyzed this final rule under Executive Order 13045 (Protection of Children from Environmental Health Risks and Safety Risks). This final rule is not an economically significant rule and will not create an environmental risk to health or risk to safety that might disproportionately affect children.

J. Indian Tribal Governments

This final rule does not have tribal implications under Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

K. Energy Effects

We have analyzed this final rule under Executive Order 13211 (Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use). We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

L. Technical Standards

The National Technology Transfer and Advancement Act, codified as a note to 15 U.S.C. 272, directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through OMB, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This final rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

M. Environment

We have analyzed this final rule under Department of Homeland Security Management Directive 023–01, Rev. 1, associated implementing instructions, and Environmental Planning COMDTINST 5090.1 (series), which guide the Coast Guard in complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370f), and have made a determination that this action is one of a category of actions that do not individually or cumulatively have a significant effect on the human environment. A Record of Environmental Consideration supporting this determination is available in the docket. For instructions on locating the docket, see the **ADDRESSES** section of this preamble. This final rule is categorically excluded under paragraphs L54 and L57 of Appendix A, Table 1 of DHS Instruction Manual 023–01–001–01, Rev 1. Paragraph L54 pertains to regulations which are editorial or procedural and paragraph L57 pertains to regulations concerning documentation of vessels. This final rule involves changes to regulations for certifying a State's titling system for undocumented vessels.

List of Subjects in 33 CFR Part 187

Administrative practice and procedure, Marine safety, Reporting and recordkeeping requirements.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 187 as follows:

PART 187—VESSEL IDENTIFICATION SYSTEM

■ 1. Revise the authority citation for part 187 to read as follows:

Authority: 46 U.S.C. 2103, 12501, 31322; DHS Delegation No. 00170.1, Revision No. 01.2, paragraph (II)(92).

■ 2. Revise § 187.7 to read as follows:

§ 187.7 Definitions.

As used in this part—

Approved numbering system means a numbering system approved by the Secretary of the Department of

[41] Rounded from the actual 0.2 hour.

[42] Rounded from the actual 5,855.3 hours.

Homeland Security under 46 U.S.C. Chapter 123.

Barge means a vessel that is not self-propelled or fitted for propulsion by sail, paddle, oar, or similar device.

Builder's certificate means a certificate of the facts of build of a vessel described in 46 CFR 67.99.

Buyer means a person who buys or contracts to buy a vessel.

Cancel, with respect to a certificate of title, means to make the certificate ineffective.

Certificate of documentation means Coast Guard Form CG–1270.

Certificate of origin means a record created by a manufacturer or importer as the manufacturer's or importer's proof of identity of a vessel, and includes a manufacturer's certificate or statement of origin and an importer's certificate or statement of origin, but excludes a builder's certificate.

Certificate of ownership means Coast Guard Form CG–1330.

Certificate of title means a record, created by the office or by a governmental agency of another State under the law of that State, which is designated as a certificate of title by the office or agency and is evidence of ownership of a vessel.

Commandant means the Commandant of the U.S. Coast Guard or an authorized representative of the Commandant of the U.S. Coast Guard.

Dealer means a person, including a manufacturer, in the business of selling vessels.

Documented vessel means a vessel covered by a certificate of documentation issued pursuant to 46 U.S.C. Section 12105, and excludes a foreign-documented vessel.

Electronic means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

Electronic certificate of title means a certificate of title consisting of information that is stored solely in an electronic medium and is retrievable in perceivable form.

Foreign-documented vessel means a vessel the ownership of which is recorded in a registry maintained by a country other than the United States, identifying each person having an ownership interest in a vessel, and includes a unique alphanumeric designation for the vessel.

Good faith means honesty in fact and the observance of reasonable commercial standards of fair dealing.

Hull damaged means compromised with respect to the integrity of a vessel's hull by a collision, allision, lightning strike, fire, explosion, running aground, or similar occurrence, or the sinking of a vessel in a manner that creates a significant risk to the integrity of the vessel's hull.

Hull identification number or *HIN* means the alphanumeric designation assigned to a vessel under subpart C of 33 CFR part 181.

Issuing authority means either a State that has an approved numbering system or the Coast Guard in a State that does not have an approved numbering system.

Lien creditor, with respect to a vessel, means—

(1) A creditor that has acquired a lien on the vessel by attachment, levy, or the like;

(2) An assignee for benefit of creditors from the time of assignment;

(3) A trustee in bankruptcy from the date of the filing of the petition; or

(4) A receiver in equity from the time of appointment.

Manufacturer means any person engaged in the business of manufacturing or importing new vessels for the purpose of sale or trade.

Office means the State department or agency that creates certificates of title.

Owner means a person having legal title to a vessel.

Owner of record means the owner indicated in the files of the Office or, if the files indicate more than one owner, the one first indicated.

Participating State means a State certified by the Commandant as meeting the requirements of subpart C of this part.

Person means an individual or any form of legal or commercial entity.

Purchase means to take by any voluntary transaction that creates an interest in a vessel.

Purchaser means a person taking by purchase.

Record means information inscribed on a tangible medium or stored in an electronic or other medium and is retrievable in perceivable form.

Secured party, with respect to a vessel, means a person—

(1) In whose favor a security interest is created or provided for under a security agreement, whether or not any obligation to be secured is outstanding;

(2) Who is a consignor under State law as prescribed by State law related to security interests in goods; or

(3) Who holds a security interest arising under State law related to security interests in goods.

Secured party of record means the secured party whose name is indicated as the name of the secured party in the files of the office or, if the files indicate more than one secured party, the one first indicated.

Security interest means an interest in a vessel that secures payment or performance of an obligation if the interest is created by contract or otherwise as prescribed by state law related to security interests in goods.

Sign means, with present intent to authenticate or adopt a record, to—

(1) Make or adopt a tangible symbol; or

(2) Attach to or logically associate with the record an electronic symbol, sound, or process.

State means a State of the United States, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands, and any other territory or possession of the United States.

State of principal operation means the State on whose waters a vessel is or will be used, operated, navigated, or employed more than on the waters of any other State during a calendar year.

Title brand means a designation of previous damage, use, or condition that must be indicated on a certificate of title.

Titled vessel means a vessel titled by a State.

Titling authority means a State whose vessel titling system has been certified by the Commandant under subpart D of this part.

Transfer of ownership means a voluntary or involuntary conveyance of an interest in a vessel.

Vessel means every description of watercraft used or capable of being used as a means of transportation on water, except—

(1) A seaplane;

(2) An amphibious vehicle for which a certificate of title is issued pursuant to a state's motor vehicle certificate of title act or a similar statute of another state;

(3) Watercraft that operate only on a permanently fixed, manufactured course and the movement of which is restricted to or guided by means of a mechanical device to which the watercraft is attached or by which the watercraft is controlled;

(4) A stationary floating structure that—

(i) Does not have and is not designed to have a mode of propulsion of its own;

(ii) Is dependent for utilities upon a continuous utility hookup to a source originating on shore; and

(iii) Has a permanent, continuous hookup to a shore side sewage system.

(5) Watercraft owned by the United States, a State, or a foreign government or a political subdivision of any of them; and

(6) Watercraft used solely as a lifeboat on another watercraft.

Vessel Identification System or *VIS* means a system for collecting information on vessels and vessel

ownership as required by 46 U.S.C. 12501.

Vessel number means the alphanumeric designation for a vessel issued pursuant to 46 U.S.C. 12301.

Written certificate of title means a certificate of title consisting of information inscribed on a tangible medium.

■ 3. Revise subpart D to read as follows:

Subpart D—State Vessel Titling Systems

Sec.

187.301 Certification for preferred mortgage status—Eligibility requirements.
187.302 Terms States must define.
187.303 Applicability.
187.304 Titling exclusively in one State.
187.305 Law governing vessel covered by certificate of title.
187.306 Certificate of title required.
187.307 Application for certificate of title.
187.308 Creation and cancellation of certificate of title.
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187.313 Effect of certificate of title.
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187.315 Perfection of security interest.
187.316 Termination statement.
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187.321 Application for transfer of ownership or termination of security interest without certificate of title.
187.322 Replacement certificate of title.
187.323 Rights of purchaser other than secured party.
187.324 Rights of secured party.
187.325 Duties and operation of office.

Subpart D—State Vessel Titling Systems

§ 187.301 Certification for preferred mortgage status—Eligibility requirements.

The Commandant, under 46 U.S.C. 31322(d)(1)(A) and § 187.13, will certify a State whose vessel titling system meets the requirements of this subpart as eligible to have security interests that are perfected under its law deemed preferred mortgages under 46 U.S.C. 31322. The State must also comply with the VIS participation requirements of § 187.11 and subpart C of this part and make vessel information it collects available to the VIS.

§ 187.302 Terms States must define.

(a) A State must define the terms ''certificate of origin'', ''dealer'', ''documented vessel'', ''issuing authority'', ''manufacturer'', ''owner'', ''person'', ''secured party'', ''security interest'', ''titling authority'', and ''vessel'' substantially as defined in 33 CFR 187.7.

(b) In addition to the definitions in § 187.7, a State must also define the following terms as prescribed by State law related to security interests in goods:

(1) *Agreement;*

(2) *Buyer in ordinary course of business;*

(3) *Conspicuous;*

(4) *Consumer goods;*

(5) *Debtor;*

(6) *Knowledge;*

(7) *Lease;*

(8) *Lessor;*

(9) *Notice;*

(10) *Representative;*

(11) *Sale;*

(12) *Security agreement;*

(13) *Seller;*

(14) *Send;* and

(15) *Value.*

(c) The definitions in § 187.7 and the terms in paragraph (b) of this section do not apply to any State or Federal law governing licensing, numbering, or registration if the same term is used in that law.

§ 187.303 Applicability.

Subject to a savings clause provided under state law, this subpart applies to any transaction, certificate of title, or record relating to a vessel, even if the transaction, certificate of title, or record was entered into or created before the effective date of the State law.

§ 187.304 Titling exclusively in one State.

A State must require that all vessels required to be numbered in the State under 46 U.S.C. Chapter 123 be titled only in that State, if that State issues titles to that class of vessels.

§ 187.305 Law governing vessels covered by certificate of title.

(a) The local law of the State under whose certificate of title a vessel is covered governs all issues relating to the certificate from the time the vessel becomes covered by the certificate until the vessel becomes covered by another certificate or becomes a documented vessel, even if no other relationship exists between the State and the vessel or its owner.

(b) A vessel becomes covered by a certificate of title when an application for the certificate and the applicable fee are delivered to the office in accordance with this subpart or to the governmental agency that creates a certificate in another jurisdiction in accordance with the law of that jurisdiction.

§ 187.306 Certificate of title required.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, the owner of a vessel must deliver to the office of the State in which the vessel is principally used an application for a certificate of title for the vessel, with the applicable fee, not later than 20 days after the later of—

(1) The date of a transfer of ownership; or

(2) The date the State becomes the State of principal use.

(b) An application for a certificate of title is not required for—

(1) A documented vessel;

(2) A foreign-documented vessel;

(3) A barge;

(4) A vessel before delivery if the vessel is under construction or completed pursuant to contract; or

(5) A vessel held by a dealer for sale or lease.

(c) The office may not issue, transfer, or renew a certificate of number for a vessel issued pursuant to 46 U.S.C. 12301 unless it has created a certificate of title for the vessel or an application for a certificate for the vessel and the applicable fee have been delivered to the office.

§ 187.307 Application for certificate of title.

(a) Except as otherwise provided in §§ 187.310, 187.315, 187.319, 187.320, 187.321, and 187.322, only an owner may apply for a certificate of title.

(b) An application for a certificate of title must be signed by the applicant and contain—

(1) The applicant's name, the street address of the applicant's principal residence, and, if different, the applicant's mailing address;

(2) The name and mailing address of each other owner of the vessel;

(3) The social security number or taxpayer identification number of each owner;

(4) The hull identification number (HIN) for the vessel or, if none, an application for the issuance of a HIN for the vessel;

(5) The vessel number for the vessel or, if none issued by the office, an application for a vessel number;

(6) A description of the vessel as required by the office, which must include—

(i) The official number for the vessel, if any, assigned by the Coast Guard;

(ii) The name of the manufacturer, builder, or maker;

(iii) The model year or the year in which the manufacture or build of the vessel was completed;

(iv) The overall length of the vessel;

(v) The vessel type, as described in 33 CFR 174.19;

(vi) The hull material, as described in 33 CFR 174.19;

(vii) The propulsion type, as described in 33 CFR 174.19;

(viii) The engine drive type, as described in 33 CFR 174.19, if any; and

(ix) The fuel type, as described in 33 CFR 174.19, if any;

(7) An indication of all security interests in the vessel known to the applicant and the name and mailing address of each secured party;

(8) A statement that the vessel is not a documented vessel or a foreign-documented vessel;

(9) Any title brand known to the applicant and, if known, the jurisdiction under whose law the title brand was created;

(10) If the applicant knows that the vessel is hull damaged, a statement that the vessel is hull damaged;

(11) If the application is made in connection with a transfer of ownership, the transferor's name, street address, and, if different, mailing address, the sales price, if any, and the date of the transfer; and

(12) If the vessel was previously registered or titled in another jurisdiction, a statement identifying each jurisdiction known to the applicant in which the vessel was registered or titled.

(c) In addition to the information required by paragraph (b) of this section, an application for a certificate of title may contain an electronic communication address of the owner, transferor, or secured party.

(d) Except as otherwise provided in §§ 187.319, 187.320, 187.321, and 187.322, an application for a certificate of title must be accompanied by a certificate of title signed by the owner shown on the certificate which identifies the applicant as the owner of the vessel, or is accompanied by a record that identifies the applicant as the owner.

(e) If there is no certificate of title as discussed in paragraph (d) of this section, an application for a certificate of title must be accompanied by—

(1) If the vessel was a documented vessel, a record issued by the Coast Guard that shows the vessel is no longer a documented vessel and identifies the applicant as the owner;

(2) If the vessel was a foreign-documented vessel, a record issued by the foreign country which shows the vessel is no longer a foreign-documented vessel and identifies the applicant as the owner; or

(3) In all other cases, a certificate of origin, bill of sale, or other record that to the satisfaction of the office identifies the applicant as the owner.

(f) A record submitted in connection with an application is part of the application and the office must maintain it in its files.

(g) The office may require an application for a certificate of title to be accompanied by payment or evidence of payment of all fees and taxes payable by the applicant under State law if in connection with the application or the acquisition or use of the vessel.

§ 187.308 Creation and cancellation of certificate of title.

(a) Unless an application for a certificate of title is rejected under paragraph (c) or (d) of this section, the office must create a certificate for the vessel in accordance with paragraph (b) of this section not later than 20 days after delivery to it of an application that complies with § 187.307.

(b) If the office creates electronic certificates of title, it must create an electronic certificate unless in the application the secured party of record or, if none, the owner of record, requests that the office create a written certificate.

(c) Except as otherwise provided in paragraph (d) of this section, the office may reject an application for a certificate of title only if—

(1) The application does not comply with § 187.307;

(2) The application does not contain documentation sufficient for the office to determine whether the applicant is entitled to a certificate;

(3) There is a reasonable basis for concluding that the application is fraudulent or issuance of a certificate would facilitate a fraudulent or illegal act; or

(4) The application does not comply with State law.

(d) The office must reject an application for a certificate of title for a vessel that is a documented vessel or a foreign-documented vessel.

(e) The office may cancel a certificate of title created by it only if the office—

(1) Could have rejected the application for the certificate under paragraph (c) of this section;

(2) Is required to cancel the certificate under another provision of this subpart; or

(3) Receives satisfactory evidence that the vessel is a documented vessel or a foreign-documented vessel.

§ 187.309 Content of certificate of title.

(a) A certificate of title must contain—

(1) The date the certificate was created;

(2) The name of the owner of record and, if not all owners are listed, an indication that there are additional owners indicated in the files of the office;

(3) The mailing address of the owner of record;

(4) The hull identification number (HIN);

(5) The information listed in § 187.307(b)(6);

(6) Except as otherwise provided in § 187.315(b), the name and mailing address of the secured party of record, if any, and if not all secured parties are listed, an indication that there are other security interests indicated in the files of the office; and

(7) All title brands indicated in the files of the office covering the vessel, including brands indicated on a certificate created by a governmental agency of another jurisdiction and delivered to the office.

(b) This subpart does not preclude the office from noting on a certificate of title the name and mailing address of a secured party that is not a secured party of record.

(c) For each title brand indicated on a certificate of title, the certificate must identify the jurisdiction under whose law the title brand was created or the jurisdiction that created the certificate on which the title brand was indicated. If the meaning of a title brand is not easily ascertainable or cannot be accommodated on the certificate, the certificate may state: ''Previously branded in (insert the jurisdiction under whose law the title brand was created or whose certificate of title previously indicated the title brand).''

(d) If the files of the office indicate that a vessel was previously registered or titled in a foreign country, the office must indicate on the certificate of title that the vessel was registered or titled in that country.

(e) A written certificate of title must contain a form that all owners indicated on the certificate may sign to evidence consent to a transfer of an ownership interest to another person. The form must include a certification, signed under penalty of perjury, that the statements made are true and correct to the best of each owner's knowledge, information, and belief.

(f) A written certificate of title must contain a form for the owner of record to indicate, in connection with a transfer of an ownership interest, that the vessel is hull damaged.

§ 187.310 Title brand.

(a) Unless paragraph (c) of this section applies, at or before the time the owner of record transfers an ownership interest in a hull-damaged vessel that is covered by a certificate of title created by the office, if the damage occurred while that person was an owner of the vessel and the person has notice of the damage at the time of the transfer, the owner must—

(1) Deliver to the office an application for a new certificate that complies with § 187.307 of this part and includes the title brand designation ''Hull Damaged''; or

(2) Indicate on the certificate in the place designated for that purpose that the vessel is hull damaged and deliver the certificate to the transferee.

(b) Not later than 20 days after delivery to the office of the application under paragraph (a)(1) of this section or the certificate of title under paragraph (a)(2) of this section, the office must create a new certificate that indicates that the vessel is branded ''Hull Damaged''.

(c) Before an insurer transfers an ownership interest in a hull-damaged vessel that is covered by a certificate of title created by the office, the insurer must deliver to the office an application for a new certificate that complies with § 187.306 and includes the title brand designation ''Hull Damaged''. Not later than 20 days after delivery of the application to the office, the office must create a new certificate that indicates that the vessel is branded ''Hull Damaged''.

(d) An owner of record who fails to comply with paragraph (a) of this section, a person who solicits or colludes in a failure by an owner of record to comply with paragraph (a) of this section, or an insurer that fails to comply with paragraph (c) of this section is subject to penalty as prescribed by state law.

§ 187.311 Maintenance of and access to files.

(a) For each record relating to a certificate of title submitted to the office, the office must—

(1) Ascertain or assign the hull identification number (HIN) for the vessel in accordance with 33 CFR part 181;

(2) Maintain the HIN and all the information submitted with the application pursuant to § 187.307(b) to which the record relates, including the date and time the record was delivered to the office;

(3) Maintain the files for public inspection subject to paragraph (e) of this section; and

(4) Index the files of the office as required by paragraph (b) of this section.

(b) The office must maintain in its files the information contained in all certificates of title created under this subpart. The information in the files of the office must be searchable by the HIN of the vessel, the vessel number, the name of the owner of record, and any other method used by the office.

(c) The office must maintain in its files, for each vessel for which it has created a certificate of title, all title brands known to the office, the name of each secured party known to the office, the name of each person known to the office to be claiming an ownership interest, and all stolen-property reports the office has received.

(d) Upon request, for safety, security, or law-enforcement purposes, the office must provide to Federal, State, or local government the information in its files relating to any vessel for which the office has issued a certificate of title.

(e) Except as otherwise provided by laws of the titling State, the information required under § 187.309 is a public record, but the information provided under § 187.307(b)(3) is not a public record.

§ 187.312 Action required on creation of certificate of title.

(a) On creation of a written certificate of title, the office must promptly send the certificate to the secured party of record or, if none, to the owner of record, at the address indicated for that person in the files of the office. On creation of an electronic certificate of title, the office must promptly send a record evidencing the certificate to the owner of record and, if there is one, to the secured party of record, at the address indicated for that person in the files of the office. The office may send the record to the person's mailing address or, if indicated in the files of the office, an electronic address.

(b) If the office creates a written certificate of title, any electronic certificate of title for the vessel is canceled and replaced by the written certificate. The office must maintain in the files of the office the date and time of cancellation.

(c) Before the office creates an electronic certificate of title, any written certificate for the vessel must be surrendered to the office. If the office creates an electronic certificate, the office must destroy or otherwise cancel the written certificate for the vessel that has been surrendered to the office and maintain in the files of the office the date and time of destruction or other cancellation. If a written certificate being canceled is not destroyed, the office must indicate on the face of the certificate that it has been canceled.

§ 187.313 Effect of certificate of title.

A certificate of title is *prima facie* evidence of the accuracy of the information in the record that constitutes the certificate.

§ 187.314 Effect of possession of certificate of title; judicial process.

Possession of a certificate of title does not by itself provide a right to obtain possession of a vessel. Garnishment, attachment, levy, replevin, or other judicial process against the certificate is not effective to determine possessory rights to the vessel. This subpart does not prohibit enforcement under State law, other than this subpart (33 CFR part 187 subpart D), of a security interest in, levy on, or foreclosure of a statutory or common-law lien on a vessel. Absence of an indication of a statutory or common-law lien on a certificate does not invalidate the lien.

§ 187.315 Perfection of security interest.

(a) Except as otherwise provided in this section or a savings clause provided under state law, a security interest in a vessel may be perfected only by delivery to the office of an application for a certificate of title that identifies the secured party and otherwise complies with § 187.307. The security interest is perfected on the later of delivery to the office of the application and the applicable fee or attachment of the security interest as prescribed by State law related to security interests in goods.

(b) If the interest of a person named as owner, lessor, consignor, or bailor in an application for a certificate of title delivered to the office is a security interest, the application sufficiently identifies the person as a secured party. Identification on the application for a certificate of a person as owner, lessor, consignor, or bailor is not by itself a factor in determining whether the person's interest is a security interest.

(c) If the office has created a certificate of title for a vessel, a security interest in the vessel may be perfected by delivery to the office of an application, on a form the office may require, to have the security interest added to the certificate. The application must be signed by an owner of the vessel or by the secured party and must include—

(1) The name of the owner of record;

(2) The name and mailing address of the secured party;

(3) The hull identification number (HIN) for the vessel; and

(4) If the office has created a written certificate of title for the vessel, the certificate.

(d) A security interest perfected under paragraph (c) of this section is perfected on the later of delivery to the office of the application and all applicable fees or attachment of the security interest as prescribed by State law related to security interests in goods.

(e) On delivery of an application that complies with paragraph (c) of this section and payment of all applicable fees, the office must create a new certificate of title pursuant to § 187.308 and deliver the new certificate or a record evidencing an electronic certificate pursuant to § 187.312(a). The office must maintain in the files of the office the date and time of delivery of the application to the office.

(f) If a secured party assigns a perfected security interest in a vessel, the receipt by the office of a statement providing the name of the assignee as secured party is not required to continue the perfected status of the security interest against creditors of and transferees from the original debtor. Upon obtaining a release from the secured party indicated in the files of the office or on the certificate, a purchaser of a vessel subject to a security interest takes free of the security interest and of the rights of a transferee unless the transfer is indicated in the files of the office or on the certificate.

(g) This section does not apply to a security interest—

(1) Created in a vessel by a person during any period in which the vessel is inventory held for sale or lease by the person or is leased by the person as lessor if the person is in the business of selling vessels;

(2) In a barge for which no application for a certificate of title has been delivered to the office; or

(3) In a vessel before delivery if the vessel is under construction, or completed, pursuant to contract and for which no application for a certificate has been delivered to the office.

(h) This paragraph applies if a certificate of documentation for a documented vessel is deleted or canceled. If a security interest in the vessel was valid immediately before deletion or cancellation against a third party as a result of compliance with 42 U.S.C. 31321, the security interest is and remains perfected until the earlier of 4 months after cancellation of the certificate or the time the security interest becomes perfected under this subpart.

(i) A security interest in a vessel arising under State law related to security interests in goods is perfected when it attaches but becomes unperfected when the debtor obtains possession of the vessel, unless before the debtor obtains possession the security interest is perfected pursuant to paragraphs (a) or (c) of this section.

(j) A security interest in a vessel as proceeds of other collateral is perfected to the extent provided in State law.

(k) A security interest in a vessel perfected under the law of another jurisdiction is perfected to the extent provided in State law.

§ 187.316 Termination statement.

(a) A secured party indicated in the files of the office as having a security interest in a vessel must deliver a termination statement to the office and, on the debtor's request, to the debtor, by the earlier of—

(1) Twenty days after the secured party receives a signed demand from an owner for a termination statement and there is no obligation secured by the vessel subject to the security interest and no commitment to make an advance, incur an obligation, or otherwise give value secured by the vessel; or

(2) If the vessel is consumer goods, 30 days after there is no obligation secured by the vessel and no commitment to make an advance, incur an obligation, or otherwise give value secured by the vessel.

(b) If a written certificate of title has been created and delivered to a secured party and a termination statement is required under paragraph (a) of this section, the secured party, not later than the date required by paragraph (a), must deliver the certificate to the debtor or to the office with the statement. If the certificate is lost, stolen, mutilated, destroyed, or is otherwise unavailable or illegible, the secured party must deliver with the statement, not later than the date required by paragraph (a), an application for a replacement certificate meeting the requirements of § 187.322.

(c) On delivery to the office of a termination statement authorized by the secured party, the security interest to which the statement relates ceases to be perfected. If the security interest to which the statement relates was indicated on the certificate of title, the office must create a new certificate and deliver the new certificate or a record evidencing an electronic certificate. The office must maintain in its files the date and time of delivery to the office of the statement.

(d) A secured party that fails to comply with this section is liable for any loss that the secured party had reason to know might result from its failure to comply and which could not reasonably have been prevented and for the cost of an application for a certificate of title under § 187.307 or § 187.322.

§ 187.317 Transfer of ownership.

(a) On voluntary transfer of an ownership interest in a vessel covered by a certificate of title, the following rules apply:

(1) If the certificate is a written certificate of title and the transferor's interest is noted on the certificate, the transferor must promptly sign the certificate and deliver it to the transferee. If the transferor does not have possession of the certificate, the person in possession of the certificate has a duty to facilitate the transferor's compliance with this paragraph. A secured party does not have a duty to facilitate the transferor's compliance with this paragraph if the proposed transfer is prohibited by the security agreement.

(2) If the certificate of title is an electronic certificate of title, the transferor must promptly sign and deliver to the transferee a record evidencing the transfer of ownership to the transferee.

(3) The transferee has a right enforceable by specific performance to require the transferor comply with paragraph (a)(1) or (2) of this section.

(b) The creation of a certificate of title identifying the transferee as owner of record satisfies paragraph (a) of this section.

(c) A failure to comply with paragraph (a) or to apply for a new certificate of title does not render a transfer of ownership of a vessel ineffective between the parties. Except as otherwise provided in § 187.318, § 187.319, § 187.323(a), or § 187.324, a transfer of ownership without compliance with paragraph (a) of this section is not effective against another person claiming an interest in the vessel.

(d) A transferor that complies with paragraph (a) of this section is not liable as owner of the vessel for an event occurring after the transfer, regardless of whether the transferee applies for a new certificate of title.

§ 187.318 Effect of missing or incorrect information.

Except as otherwise provided as prescribed by State law related to security interests in goods, a certificate of title or other record required or authorized by this subpart is effective even if it contains incorrect information or does not contain required information.

§ 187.319 Transfer of ownership by secured party's transfer statement.

(a) In this section, ''secured party's transfer statement'' means a record signed by the secured party of record stating—

(1) That there has been a default on an obligation secured by the vessel;

(2) The secured party of record is exercising or has exercised post-default remedies with respect to the vessel;

(3) By reason of the exercise, the secured party of record has the right to transfer the ownership interest of an owner, and the name of the owner;

(4) The name and last known mailing address of the owner of record and the secured party of record;

(5) The name of the transferee;

(6) Other information required by § 187.307(b); and

(7) One of the following:

(i) The certificate of title is an electronic certificate;

(ii) The secured party does not have possession of the written certificate of title created in the name of the owner of record; or

(iii) The secured party is delivering the written certificate of title to the office with the secured party's transfer statement.

(b) Unless the office rejects a secured party's transfer statement for a reason stated in § 187.308(c), not later than 20 days after delivery to the office of the statement and payment of fees and taxes payable under State law in connection with the statement or the acquisition or use of the vessel, the office must—

(1) Accept the statement;

(2) Amend the files of the office to reflect the transfer; and

(3) If the name of the owner whose ownership interest is being transferred is indicated on the certificate of title—

(i) Cancel the certificate even if the certificate has not been delivered to the office;

(ii) Create a new certificate indicating the transferee as owner; and

(iii) Deliver the new certificate or a record evidencing an electronic certificate.

(c) An application under paragraph (a) of this section or the creation of a certificate of title under paragraph (b) of this section is not by itself a disposition of the vessel and does not by itself relieve the secured party of its duties under State law.

§ 187.320 Transfer by operation of law.

(a) In this section—

(1) ''By operation of law'' means pursuant to a law or judicial order affecting ownership of a vessel—

(i) Because of death, divorce or other family law proceeding, merger, consolidation, dissolution, or bankruptcy;

(ii) Through the exercise of the rights of a lien creditor or a person having a lien created by statute or rule of law; or

(iii) Through other legal process.

(2) ''Transfer-by-law statement'' means a record signed by a transferee stating that by operation of law the transferee has acquired or has the right to acquire an ownership interest in a vessel.

(b) A transfer-by-law statement must contain—

(1) The name and last known mailing address of the owner of record and the transferee and the other information required by § 187.307(b);

(2) Documentation sufficient to establish the transferee's ownership interest or right to acquire the ownership interest;

(3) A statement that—

(i) The certificate of title is an electronic certificate of title;

(ii) The transferee does not have possession of the written certificate of title created in the name of the owner of record; or

(ii) The transferee is delivering the written certificate to the office with the transfer-by-law statement; and

(4) Except for a transfer described in paragraph (a)(1)(i) of this section, evidence that notification of the transfer and the intent to file the transfer-by-law statement has been sent to all persons indicated in the files of the office as having an interest, including a security interest, in the vessel.

(c) Unless the office rejects a transfer-by-law statement for a reason stated in § 187.308(c) or because the statement does not include documentation satisfactory to the office as to the transferee's ownership interest or right to acquire the ownership interest, not later than 20 days after delivery to the office of the statement and payment of fees and taxes payable under State law in connection with the statement or with the acquisition or use of the vessel, the office must—

(1) Accept the statement;

(2) Amend the files of the office to reflect the transfer; and

(3) If the name of the owner whose ownership interest is being transferred is indicated on the certificate of title—

(i) Cancel the certificate even if the certificate has not been delivered to the office;

(ii) Create a new certificate indicating the transferee as owner;

(iii) Indicate on the new certificate any security interest indicated on the canceled certificate, unless a court order provides otherwise; and

(iv) Deliver the new certificate or a record evidencing an electronic certificate.

(d) This section does not apply to a transfer of an interest in a vessel by a secured party as prescribed by State law related to security interests in goods.

§ 187.321 Application for transfer of ownership or termination of security interest without certificate of title.

(a) Except as otherwise provided in §§ 187.319 and 187.320, if the office receives, unaccompanied by a signed certificate of title, an application for a new certificate that includes an indication of a transfer of ownership or a termination statement, the office may create a new certificate under this section only if—

(1) All other requirements under §§ 187.307 and 187.308 are met;

(2) The applicant provides an affidavit stating facts showing that the applicant is entitled to a transfer of ownership or termination statement;

(3) The applicant provides the office with satisfactory evidence that notification of the application has been sent to the owner of record and all persons indicated in the files of the office as having an interest, including a security interest, in the vessel, at least 45 days have passed since the notification was sent, and the office has not received an objection from any of those persons; and

(4) The applicant submits any other information required by the office as evidence of the applicant's ownership or right to terminate the security interest, and the office has no credible information indicating theft, fraud, or an undisclosed or unsatisfied security interest, lien, or other claim to an interest in the vessel.

(b) The office may indicate in a certificate of title created under paragraph (a) of this section that the certificate was created without submission of a signed certificate or termination statement. Unless credible information indicating theft, fraud, or an undisclosed or unsatisfied security interest, lien, or other claim to an interest in the vessel is delivered to the office not later than 1 year after creation of the certificate, on request in a form and manner required by the office, the office must remove the indication from the certificate.

§ 187.322 Replacement certificate of title.

(a) If a written certificate of title is lost, stolen, mutilated, destroyed, or otherwise becomes unavailable or illegible, the secured party of record or, if no secured party is indicated in the files of the office, the owner of record may apply for and, by furnishing information satisfactory to the office, obtain a replacement certificate in the name of the owner of record.

(b) An applicant for a replacement certificate of title must sign the application, and, except as otherwise permitted by the office, the application

must comply with § 187.307. The application must include the existing certificate unless the certificate is lost, stolen, mutilated, destroyed, or otherwise unavailable.

(c) A replacement certificate of title created by the office must comply with § 187.309 and indicate on the face of the certificate that it is a replacement certificate.

(d) If a person receiving a replacement certificate of title subsequently obtains possession of the original written certificate, the person must promptly destroy the original certificate of title.

§ 187.323 Rights of purchaser other than secured party.

(a) A buyer in ordinary course of business has the protections afforded by State law even if an existing certificate of title was not signed and delivered to the buyer or a new certificate listing the buyer as owner of record was not created.

(b) Except as otherwise provided in §§ 187.317 and 187.324, the rights of a purchaser of a vessel who is not a buyer in ordinary course of business or a lien creditor are governed by State law.

§ 187.324 Rights of secured party.

(a) Subject to paragraph (b) of this section, the effect of perfection and non-perfection of a security interest and the priority of a perfected or unperfected security interest with respect to the rights of a purchaser or creditor, including a lien creditor, is governed by State law.

(b) If, while a security interest in a vessel is perfected by any method under this subpart, the office creates a certificate of title that does not indicate that the vessel is subject to the security interest or contain a statement that it may be subject to security interests not indicated on the certificate—

(1) A buyer of the vessel, other than a person in the business of selling or leasing vessels of that kind, takes free of the security interest if the buyer, acting in good faith and without knowledge of the security interest, gives value and receives possession of the vessel; and

(2) The security interest is subordinate to a conflicting security interest in the vessel that is perfected under § 187.315 after creation of the certificate and without the conflicting secured party's knowledge of the security interest.

§ 187.325 Duties and operation of office.

(a) The office must retain the evidence used to establish the accuracy of the information in its files relating to the current ownership of a vessel and the information on the certificate of title.

(b) The office must retain in its files all information regarding a security interest in a vessel for at least 10 years after the office receives a termination statement regarding the security interest. The information must be accessible by the hull identification number (HIN) for the vessel and any other methods provided by the office.

(c) If a person submits a record to the office, or submits information that is accepted by the office, and requests an acknowledgment of the filing or submission, the office must send to the person an acknowledgment showing the HIN of the vessel to which the record or submission relates, the information in the filed record or submission, and the date and time the record was received or the submission accepted. A request under this section must contain the HIN and be delivered by means authorized by the office.

(d) The office must send or otherwise make available in a record the following information to any person that requests it and pays the applicable fee:

(1) Whether the files of the office indicate, as of a date and time specified by the office, but not a date earlier than 3 days before the office received the request, any certificate of title, security interest, termination statement, or title brand that relates to a vessel—

(i) Identified by a HIN designated in the request;

(ii) Identified by a vessel number designated in the request; or

(iii) Owned by a person designated in the request.

(2) With respect to the vessel—

(i) The name and address of any owner as indicated in the files of the office or on the certificate of title;

(ii) The name and address of any secured party as indicated in the files of the office or on the certificate, and the effective date of the information; and

(iii) A copy of any termination statement indicated in the files of the office and the effective date of the termination statement.

(3) With respect to the vessel, a copy of any certificate of origin, secured party transfer statement, transfer-by-law statement under § 187.320, and other evidence of previous or current transfers of ownership.

(e) In responding to a request under this section, the office may provide the requested information in any medium. On request, the office must send the requested information in a record that is in keeping with State rules of evidence.

Dated: May 31, 2022.

W.R. Arguin,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Prevention Policy.

[FR Doc. 2022–11995 Filed 6–3–22; 8:45 am]

BILLING CODE 9110–04–P

POSTAL SERVICE

39 CFR Part 111

New Mailing Standards for the Separation of Hazardous Materials

AGENCY: Postal Service™.

ACTION: Interim final rule.

SUMMARY: The Postal Service is revising Publication 52, *Hazardous, Restricted, and Perishable Mail* (Pub 52), to incorporate new requirements for mailers to separate, into identifiable containers, all hazardous material (HAZMAT) requiring hazardous marks or labels from other mail when tendering to the Postal Service. The Postal Service is also adopting related standard operating procedures for the Postal Service's acceptance, dispatch, and mail processing personnel to maintain the integrity of HAZMAT separation. Additionally, the Postal Service will now require pre-owned, damaged, or defective electronic devices containing or packed with lithium batteries to be mailed only via surface transportation and to bear specified markings.

DATES:

Effective date: This rule is effective June 6, 2022.

Comments due date: Comments must be received on or before July 6, 2022.

ADDRESSES: Mail or deliver written comments to the Manager, Product Classification, U.S. Postal Service, 475 L'Enfant Plaza SW, Room 4446, Washington, DC 20260–3436. Email comments containing the name and address of the commenter may be sent to *PCFederalRegister@usps.gov,* with a subject line of ''New Mailing Standards for the Separation of Hazardous Materials.'' Faxed comments are not accepted. All submitted comments and attachments are part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider to be confidential or inappropriate for public disclosure.

You may inspect and photocopy all written comments, by appointment only, at USPS® Headquarters Library, 475 L'Enfant Plaza SW, 11th Floor North, Washington, DC 20260. These records are available for review Monday through Friday, 9 a.m. and 4 p.m. by calling 202–268–2906.

FOR FURTHER INFORMATION CONTACT: Dale Kennedy, (202) 268–6592, or Jennifer Anderson, (202) 268–2108.

SUPPLEMENTARY INFORMATION:

Background

The Postal Service hereby amends Publication 52, *Hazardous, Restricted, and Perishable Mail,* with the provisions set forth herein. While not codified in title 39, Code of Federal Regulations (''CFR''), Publication 52 is a regulation of the Postal Service, and changes to it may be published in the **Federal Register**. 39 CFR 211.2(a)(2). Moreover, Publication 52 is incorporated by reference into *Mailing Standards of the United States Postal Service,* Domestic Mail Manual (''DMM'') section 601.8.1, which is incorporated by reference, in turn, into the Code of Federal Regulations. 39 CFR 111.1, 111.3. Publication 52 is publicly available, in a read-only format, via the Postal Explorer® website at *https://pe.usps.com.* In addition, links to Postal Explorer are provided on the landing page of *USPS.com,* the Postal Service's primary customer-facing website, and on *Postal Pro,* an online informational source available to postal customers.

Misrouted and mishandled HAZMAT can and does cause fires, spills, corrosion, and other dangers to personnel and equipment of the Postal Service, air carriers, and surface transportation providers, as well as to mailers' property and to aircraft passengers.

In particular, the increasing consumer use of lithium metal and lithium-ion batteries has brought a concomitant rise in fires and other dangerous incidents related to such batteries. The Federal Aviation Administration (FAA) has publicly reported 365 aviation incidents involving lithium batteries between January 23, 2006, and May 1, 2022, including a substantial number in just the most recent twelve months. FAA, Events with Smoke, Fire, Extreme Heat, or Explosion Involving Lithium Batteries, May 1, 2022, *https://go.usa.gov/xusNT.*[1]

The Pipeline and Hazardous Materials Safety Administration (PHMSA) has similarly reported a number of incidents involving mail between 2014 and 2021. See PHMSA, Incident Statistics, last updated Mar. 9, 2022, *https://go.usa.gov/xJrSS.* One-third of the PHMSA-reported mail incidents occurred on passenger aircraft; approximately half were discovered because of a thermal or release event; and more than half were discovered only after flight. A plurality of such items were Class 9 items such as lithium batteries, and many were ineligible for air transportation. Moreover, in recent compliance inspections, PHMSA investigators ''routinely saw shippers and carriers improperly package and ship lithium batteries for disposal or recycling,'' including ''packaging lithium batteries in a way that did not prevent short circuits, mixing damaged lithium batteries with other batteries in the same packaging within shipments for disposal or recycling, and shipping pallet loads of batteries in boxes and drums with inappropriate identification of the packages' contents.'' PHMSA, Safety Advisory Notice for the Disposal and Recycling of Lithium Batteries in Commercial Transportation 1–2, May 17, 2022, *https://go.usa.gov/xJY3J.*

Internal Postal Inspection Service data and anecdotal reports from commercial air-carrier partners over the last few years likewise indicate a consistent and alarming rise in incidents involving mailed packages of both lithium batteries and other HAZMAT, including flammable liquids, aerosols, and strike-anywhere matches. Incidents include unlabeled or improperly labeled air-ineligible HAZMAT being accepted for air transportation, as well as properly prepared air-ineligible HAZMAT that was improperly routed to air transportation because it was commingled with other mail and insufficiently visible to Postal Service personnel.

The FAA and PHMSA have issued standards for safe carriage of lithium batteries, including a prohibition on air transportation of damaged, defective, or recalled lithium batteries. See, *e.g.,* 49 CFR 173.185. However, the determinants of hazard risk, such as damage, defects, state of charge, or packaging of batteries, are not outwardly apparent to Postal Service and other personnel handling packages. In other respects as well, safety depends on a shipper's awareness of and compliance with packaging, labeling, marking, and other HAZMAT shipping requirements. If a shipper does not make HAZMAT adequately visible to Postal Service personnel responsible for acceptance and sortation, then there is an unacceptably high risk that postal and air-carrier personnel will not know that the item warrants special handling and routing.

While many incidents involving HAZMAT in the mail are minor and controllable, the risk of a major threat to an aircraft—including, in particular, passenger aircraft—and other infrastructure and personnel is real, severe, and growing with the rise in lithium-battery and other hazardous shipments. By way of illustration, the U.S. Coast Guard (USCG) recently reported that on August 19, 2021, a shipping container loaded with discarded lithium batteries caught fire, with heat intense enough not only to destroy much of the cargo, but also to burn a hole in the container's structure itself. USCG, Marine Safety Alert: Lithium Battery Fire, Mar. 10, 2022, *https://go.usa.gov/xJYxu.* USCG noted that the incident would have been ''catastrophic'' if it had occurred after loading onto the container ship. The same could be said if a similar fire arose from discarded lithium batteries aboard passenger aircraft. It is imperative that the Postal Service undertake measures to reduce the risk to its operations and aviation safety.

On August 3, 2020, the Postal Service published a notice of proposed rulemaking regarding a proposed requirement to separate air-eligible HAZMAT from all other matter in a mailing. 85 FR 46575. The Postal Service received several comments on that notice, and it appreciates the valuable public input. In particular, multiple commenters expressed support for the proposition of separating HAZMAT from non-HAZMAT matter and for further improving the Postal Service's ability to ensure that air-ineligible HAZMAT is not inadvertently loaded onto air transportation. Further study and intervening events have made clear that the initial proposal would not be sufficiently effective to mitigate the risk that HAZMAT poses to other mail; postal and air-carrier equipment and personnel; commercial air passengers; and the public at large. In lieu of the earlier proposal, therefore, the Postal Service is adopting the three measures described herein and solicits public comment on the new measures.

Summary of New Measures

In addition to preexisting packaging, labeling, and marking requirements and other conditions for mailability, two conditions are necessary to ensure the proper handling and routing of HAZMAT.

The first condition is *visibility:* The Postal Service must be aware of HAZMAT shipments in order to accord them appropriate attention. A HAZMAT package can easily evade postal HAZMAT processing if it is nestled beneath non-HAZMAT packages in a bulk mail receptacle. To address this problem, the Postal Service will require mailers tendering a mix of HAZMAT and non-HAZMAT items to present them separately, including in separate

[1] The FAA notes that the publicly reported incidents do not represent all incidents reported to the FAA, let alone all such incidents at large.

mail receptacles with the exception of mail entered at a Destination Delivery Unit (DDU), Destination Sectional Center Facility (DSCF) or Destination Network Distribution Center (DNDC). In contrast with the 2020 proposed rule, customers are required to separate *all* HAZMAT from non-HAZMAT, rather than only air-eligible HAZMAT, from other mail. While visibility is important for air-eligible HAZMAT to ensure proper handling, it is also important that surface-only HAZMAT not be erroneously routed to air transportation due to commingling with non-HAZMAT. Separating all HAZMAT from non-HAZMAT will reduce the likelihood of commingling and increase the opportunity for Postal Service personnel to determine the proper procedures for any HAZMAT items presented.

The second condition is *separation integrity:* Once recognized, the Postal Service must ensure that HAZMAT is not commingled with non-HAZMAT, lest it be improperly handled or routed. Therefore, the Postal Service is directing personnel to keep HAZMAT items separate from non-HAZMAT items at all points in the mailstream.

This interim final rule also introduces specific labeling requirements for packages containing pre-owned, damaged, or defective electronic devices containing or packed with lithium batteries, and bars them from eligibility for any Postal Service product that makes routine use of air transportation. Among other things, mailings covered by the new requirements include used items sent pursuant to e-commerce or private sales transactions; lost items being returned to the owner; and items sent for repair, replacement, upgrade, warranty service, diagnostics, recycling, or insurance claims. For clarity, pre-owned electronic devices exclude those that are in new, unopened manufacturer packaging.

The Postal Service and its partner air carriers have identified pre-owned, damaged, and defective electronic devices containing lithium batteries as a particular and growing cause of lithium-battery incidents. Indeed, damaged, defective, and recalled lithium cells and batteries are already ineligible for air transportation. 49 CFR 173.185(f). Beyond devices with damage or defects to batteries themselves, such devices may also have other damage or defects that increase the chances of exposure and ignition of even an intact battery. Moreover, such devices are highly likely to be packaged without original packaging and have batteries in various conditions and varying states of charge. In contrast with new electronic devices in manufacturers' original packaging, consumers sending pre-owned, damaged, and defective electronic devices are less likely to be aware of HAZMAT requirements, let alone to comply with them.

As a result of these factors, lithium batteries in pre-owned, damaged, and defective electronic devices pose a particular hazard, as demonstrated by numerous incidents reported to the Postal Service as involving such items. To reduce the risk of such incidents occurring on air transportation, the Postal Service will restrict pre-owned, damaged, and defective electronic devices containing or packaged with lithium batteries to domestic products that use surface transportation. Consequently, such items will be prohibited in inbound and outbound international mail; mail to, from, and between overseas military and diplomatic addresses; and mail to, from, and within certain domestic locations for which the Postal Service lacks surface transportation. Moreover, to ensure adequate visibility, the Postal Service will require that packages containing pre-owned, damaged, and defective electronic devices containing or packaged with lithium batteries be marked ''Restricted Electronic Device'' and ''Surface Transportation Only,'' in addition to any other applicable markings.

As explained in the next section, the Postal Service has decided to implement these requirements immediately, due to the urgency of the danger to personnel, property, passengers, and the public. Nevertheless, the Postal Service is providing the public with a 30-day period for submission of comments on these changes. Following the 30-day public comment period, the Postal Service will review and consider comments received and then publish a further final rule responding to those comments and making any changes to this interim final rule.

Administrative Procedure Act

The Administrative Procedure Act (APA) does not ordinarily apply to Postal Service rulemakings. 39 U.S.C. 410(a). As a rare exception to that general rule, ''proceedings concerning the mailability of matter under this chapter and chapters 71 and 83 of title 18'' are extraordinarily subject to the APA. 39 U.S.C. 3001(m). Because the measures herein merely concern acceptance requirements, available services, and conditions of mailing for mailable matter, and do not concern the mailability of matter itself, they do not trigger the narrow exception for APA applicability.

Even if this notice were deemed to be subject to the APA, good cause would exist, under 5 U.S.C. 553(b)(B), to issue the measures through this interim final rule without prior notice and a prior opportunity for public comment and, under 5 U.S.C. 553(d)(3), to dispense with the delayed effective date ordinarily prescribed by the APA. Pursuant to section 553(b)(B) of the APA, general notice and the opportunity for public comment are not required with respect to a rulemaking when an ''agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' The APA also requires a 30-day delayed effective date, except, as relevant here, ''as . . . provided by the agency for good cause found and published with the rule.'' 5 U.S.C. 553(d)(3).

The Postal Service finds that it would be impracticable and contrary to the public interest to delay issuance of this rule for the purpose of soliciting prior public comment because there is an immediate and pressing need to reduce the risks that HAZMAT poses to postal operations, supplier equipment and personnel, commercial air passengers, and the public. As described in the sections above, internal and public incident data and discussions with commercial air-carrier partners indicate an alarming rise in HAZMAT-related incidents in recent years. The rise in incidents concerns various forms of HAZMAT posing hazards to air transportation, including lithium batteries, flammable liquids and solids, and aerosols. As discussed in the preceding sections of this notice, pre-owned, damaged, and defective electronic devices containing or packaged with lithium batteries have been associated with a particular surge in fires and other incidents due to their compromised state, varying states of charge, lack of original packaging, and tender by consumers less likely to be aware of HAZMAT requirements than original equipment manufacturers and vendors. Any delay in implementation would intolerably increase the odds of a fire, explosion, or other catastrophic harm to personnel, property, passengers, and the public. Thus, delaying the implementation of the risk-mitigation measures in this interim final rule in order to receive and consider public comment would be impracticable and

contrary to the public interest.[2] Immediate mitigation of these urgent safety risks also constitutes good cause for this interim rule to be effective immediately upon publication.

Joshua J. Hofer,

Attorney, Federal Compliance.

The Postal Service adopts the following changes to Publication 52, *Hazardous, Restricted, and Perishable Mail,* incorporated by reference into Mailing Standards of the United States Postal Service, Domestic Mail Manual (DMM), section 601.8.1, which is further incorporated by reference in the Code of Federal Regulations. 39 CFR 111.1, 111.3. Publication 52 is also a regulation of the Postal Service, changes to which may be published in the **Federal Register**. 39 CFR 211.2(a). Accordingly, for the reasons stated in the preamble, the Postal Service amends Publication 52 as follows:

Publication 52, Hazardous, Restricted and Perishable Mail

* * * * *

2 General Guidelines

* * * * *

[Revise the title of subchapter 25 to read as follows:]

25 Basic Guidelines for Postal Service Personnel

* * * * *

251 Guidelines for Acceptance Personnel

[Add new item c, renumber current item c as item d, revise item e (as renumbered), and add new items f and g to read as follows:]

c. With the exception of mail entered at a Destination Delivery Unit (DDU), Destination Sectional Center Facility (DSCF), or Destination Network Distribution Center (DNDC) verify that all mailpieces containing mailable hazardous materials are presented separately from mailpieces not containing hazardous materials.

d. Refuse (as permitted in POM 139) to accept any material that does not meet the applicable requirements for mailing and refer the circumstances to your local Postmaster or PCSC for a mailability ruling under 213 or 215, as appropriate.

e. If a mailpiece containing a diagnostic (clinical) specimen is in a sack or tub, PS Tag 44 must be attached to ensure that the sack will be emptied at the processing point.

f. With the exception of mail entered at a DDU, DSCF, or DNDC ensure mailpieces containing hazardous materials remain separated from other mailpieces and are placed into labeled containers further separated by transportation type. See 327.1a and 327.1b.

g. See 253 for guidance regarding hazardous materials found in lobby drops or retail collection boxes.

* * * * *

252 Guidelines for Dispatch Personnel

[Insert new item b as follows, and renumber current item b as item c:]

b. Ensure that all mailpieces with a hazardous-materials mark or label are separated from all other mail and are placed into labeled containers further separated by transportation type. See 327.1a and 327.1b.

* * * * *

[Revise item 5 in item c (as renumbered) to read as follows:]

5. If the mailpiece contains a material believed to be nonmailable, remove it from the mailstream and treat it in accordance with POM 139.117–.118, as appropriate.

* * * * *

[Add new section 253 to read as follows:]

253 Guidelines for Delivery and Collection Personnel

Delivery and collection personnel must follow these procedures when delivering and collecting mail:

a. Conduct a thorough examination of all sides of the mailpiece for hazardous material labels and markings or any nonmailable hazardous characteristics (*e.g.,* prohibited marks or labels). If the mailpiece is nonmailable, leaking or stained, do not collect it; notify the customer, if present; and contact your supervisor. Ensure that mailable hazardous materials are separate from all other mail upon loading on your vehicle and remains separated at all times.

* * * * *

3 Hazardous Materials

* * * * *

32 General

* * * * *

327 Transportation Requirements

* * * * *

327.1 General

[Revise item b to read as follows:]

b. *Surface Transportation.* All mailable hazardous materials eligible to be sent as USPS Marketing Mail, USPS Retail Ground, Parcel Select, or Parcel Return Service must be prepared under the requirements that apply to surface transportation. A mailpiece containing mailable hazardous material with postage paid at USPS Marketing Mail, USPS Retail Ground, Parcel Select, or Package Return Service prices must not, under any circumstance, be transported on air transportation.

* * * * *

327.2 Air Transportation Prohibitions

[Add new item g as follows, and renumber current item g as item h:]

g. Pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries (see 349.12e).

* * * * *

[Add new section 329 to read as follows:]

329 Presentation of Hazardous-Materials Mailings

With the exception of mail entered at a DDU, DSCF, or DNDC each mailer of mailable hazardous materials requiring a label or marking must:

a. Present such mailpieces separately from any mailpieces not containing hazardous materials. Where mailpieces are tendered in containers, pallets, or other mail transport equipment (see Handbook PO–502, *Mail Transport Equipment*), hazardous-materials mailpieces must be presented in a separate receptacle from non-hazardous-materials mailpieces.

b. Clearly mark an exterior side of all receptacles containing hazardous materials mailpieces as'' HAZMAT''.

* * * * *

34 Mailability by Hazard Class

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349 Miscellaneous Hazardous Materials (Hazard Class 9)

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349.1 Definition

* * * * *

349.12 Lithium Battery—Definitions

[Add new item e as follows:]

e. *Pre-owned, damaged, or defective electronic device* means an electronic device containing or packaged with one or more lithium cells or batteries and where the electronic device (1) is not new and contained in new, unopened

[2] See *Jifry* v. *FAA,* 370 F.3d 1174, 1179 (D.C. Cir. 2004) (upholding waiver of 5 U.S.C. 553(b)(B) based on Transportation Security Administration's determination that it was ''necessary to prevent a possible imminent hazard to aircraft, persons, and property within the United States''); *Hawaii Helicopter Operators Ass'n* v. *FAA,* 51 F.3d 212, 214 (9th Cir. 1995) (same, where interim final rule was aimed at immediately mitigating ''the threat to public safety reflected in an increasing number of helicopter accidents'').

packaging and/or (2) that has some form of damage or defect.

* * * * *

349.2 Mailability

* * * * *

349.21 Nonmailable Class 9 Materials

[Add new item g and h to read as follows:]

g. Damaged, defective, or recalled batteries unless approved by the director, Product Classification (see 214 for address).

h. All pre-owned, damaged, or defective electronic devices in international mail or domestic air transportation.

* * * * *

Exhibit 349.222 Domestic Lithium Battery Mailability

[Add new footnote 1 reference to Air Transportation column, create new footnote text, and renumber existing references previously numbered as 1 through 7 to 2 through 8]

	Surface transportation	Air transportation [1]	Mailpiece limitations [2]
Lithium Metal or Lithium Alloy Batteries [3 4] *Small, non-rechargeable, consumer-type batteries*			
Contained in (properly installed in equipment)	Mailable	Mailable	8 cells or 2 batteries, 11 lbs.
Packed with equipment, but not installed in the equipment.	Mailable	Mailable	8 cells or 2 batteries, 11 lbs.
Without the equipment they operate (individual batteries in originally sealed packaging).	Mailable	Prohibited	5 lbs.
Lithium-ion or Lithium Polymer Batteries [5 6] *Small, rechargeable, consumer-type batteries*			
Contained in (properly installed in equipment)	Mailable	Mailable	8 cells or 2 batteries.
Packed with equipment, but not installed in the equipment.	Mailable	Mailable	8 cells or 2 batteries.
Without the equipment they operate (individual batteries in originally sealed packaging).	Mailable	Prohibited	5 lbs.
Without the equipment they operate (individual batteries in originally sealed packaging) (Intra-Alaska only).	(*)	Mailable	8 cells or 2 batteries.
Very Small Lithium Metal or Lithium-ion Batteries [7 8] *Exception for very small consumer-type batteries in USPS air transportation*			
Contained in (properly installed in equipment)	Mailable	Mailable	No limit on cells/batteries 5.5 pounds.
Packed with equipment, but not installed in the equipment.	Mailable	Mailable	No limit on cells/batteries 5.5 pounds.
Damaged, Defective, or Recalled Batteries	Prohibited, unless approved by the manager, Product Classification.		

[1] Pre-owned, damaged, or defective electronic devices are prohibited from Air Transportation.
[2] When a mailpiece limitation of 8 cells or 2 batteries is applicable, a mailpiece may contain either 8 cells or 2 batteries, not both.
[3] Each cell must not contain more than 1g lithium content.
[4] Each battery must not contain more than 2g aggregate lithium content.
[5] Each cell must not exceed more than 20 Wh (watt-hour rating).
[6] Each battery must not exceed 100 Wh.
[7] Each lithium metal or lithium alloy cell or battery must not exceed 0.3 gram of lithium content.
[8] Each lithium-ion or lithium polymer cell or battery must not exceed 2.7 Wh.

6 International Mail

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62 Hazardous Materials: International Mail

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622 Mailable Hazardous Materials

* * * * *

622.5 Lithium and Lithium-ion Cells and Batteries—General

[Revise the first paragraph to read as follows:]

Only lithium batteries under 622.51 and 622.52 that are properly installed in the equipment they operate may be sent internationally or to and from an APO, FPO, or DPO location (subject to the conditions prescribed by the Department of Defense listed in *Overseas Military/Diplomatic Mail* in the *Postal Bulletin).* Damaged, defective, or recalled lithium batteries and pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries are prohibited and may not be mailed internationally or to and from APO, FPO, or DPO locations under any circumstances. See 349.21.

* * * * *

Exhibit 622.5 International Lithium Battery Mailability

[[Add new footnote 2 to International APO/FPO/DPO column, create new 2 footnote text, and renumber existing references previously numbered as 2 through 8 to 3 through 9]

	International APO/FPO/DPO [1 2]	Mailpiece battery limit [3]
Lithium Metal or Lithium Alloy Batteries [4 5] *Small, non-rechargeable, consumer-type batteries*		
Contained in (properly installed in equipment)	Mailable	Maximum of 4 cells or 2 batteries.

	International APO/FPO/DPO [1] [2]	Mailpiece battery limit [3]
Packed with equipment, but not installed in the equipment	Prohibited.	
Without the equipment they operate (individual batteries in originally sealed packaging).	Prohibited.	
Lithium-ion or Lithium Polymer Batteries [6] [7] *Small, rechargeable, consumer-type batteries*		
Contained in (properly installed in equipment)	Mailable	Maximum of 4 cells or 2 batteries.
Packed with equipment, but not installed in the equipment	Prohibited.	
Without the equipment they operate (individual batteries in originally sealed packaging).	Prohibited.	
Very Small Lithium Metal or Lithium-ion Batteries [8] [9] *Exception for very small consumer-type batteries in international transportation*		
Contained in (properly installed in equipment)	Mailable	Maximum of 4 cells or 2 batteries.
Packed with equipment, but not installed in the equipment	Prohibited.	
Without the equipment they operate (individual batteries in originally sealed packaging).	Prohibited.	

[1] Unless otherwise prohibited by the international destination country or specific APO/FPO/DPO ZIP Code location.
[2] Damaged, defective, or recalled lithium batteries and pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries are prohibited and may not be mailed internationally or to and from APO, FPO, or DPO locations under any circumstances.
[3] When a mailpiece limitation of 4 cells or 2 batteries is applicable, a mailpiece may contain either 4 cells or 2 batteries, not both.
[4] Each lithium metal or lithium alloy cell must not contain more than 1g lithium content.
[5] Each lithium metal or lithium alloy battery must not contain more than 2g of aggregate lithium content.
[6] Each lithium-ion or lithium polymer cell must not exceed more than 20 Wh (watt-hour rating).
[7] Each lithium-ion or lithium polymer battery must not exceed 100 Wh.
[8] Each lithium metal or lithium alloy cell or battery must not exceed 0.3 gram of lithium content.
[9] Each lithium-ion or lithium polymer cell or battery must not exceed a watt-hour rating of 2.7 Wh.

* * * * *

623 Nonmailable Hazardous Materials

[Add new items m and n as follows:]

m. All damaged, defective, or recalled lithium batteries (see 349.21).

n. All pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries (see 349.21).

* * * * *

Appendix C

* * * * *

USPS Packaging Instruction 9D

Lithium Metal and Lithium-Ion Cells and Batteries—Domestic

[Revise the first paragraph to read as follows:]

Except pursuant to 349.21, lithium metal (non-rechargeable) cells and batteries and lithium-ion (rechargeable) cells and batteries are mailable in limited quantities domestically via air or surface transportation when they are installed in or packed with the equipment they are intended to operate. Unless otherwise excepted, lithium metal and lithium-ion batteries (without equipment) are mailable in limited quantities domestically via surface transportation only. Lithium metal and lithium-ion batteries installed in or packed with pre-owned, damaged, or defective electronic devices meeting all mailability requirements in 349 are mailable via surface transportation only.

* * * * *

Mailability

[Revise the first bullet as follows:]

Lithium metal and lithium-ion cells and batteries *installed in or packed with* equipment (except for pre-owned, damaged, or defective electronic devices) are mailable via air or surface transportation.

* * * * *

[Add new fourth bullet to read as follows:]

Pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries (see 349.12e) must be mailed via domestic surface transportation only, provided they meet eligibility requirements in accordance with 349.

* * * * *

Markings

[Revise the first main bullet to read as follows:]

Lithium metal batteries properly *installed in* the equipment they are intended to operate (including pre-owned, damaged, or defective electronic devices):

* * * * *

[Revise the second main bullet to read as follows:]

Lithium metal batteries *packed with* the equipment they are intended to operate (including pre-owned, damaged, or defective electronic devices):

* * * * *

[Revise the fourth main bullet to read as follows:]

Lithium-ion batteries properly *installed in* the equipment they are intended to operate (including pre-owned, damaged, or defective electronic devices):

* * * * *

[Revise the fifth main bullet to read as follows:]

Lithium-ion batteries *packed with* the equipment they are intended to operate (including pre-owned, damaged, or defective electronic devices):

* * * * *

[Add new bullet at end of section to read as follows:]

Pre-owned, damaged, or defective electronic devices: In addition to any other applicable marking requirements listed above, packages containing pre-owned, damaged, or defective electronic devices containing or packaged with lithium batteries must be marked with the text ''Restricted Electronic Device'' and ''Surface Transportation Only'' on the address side of the package. See 221.1 and 325.1.

* * * * *

USPS Packaging Instruction 9E

Lithium Metal and Lithium-Ion Cells and Batteries—International and APO/FPO/DPO

* * * * *

Mailability

[Add third and fourth bullets to read as follows:]

Pre-owned, damaged, and defective electronic devices containing or packaged with lithium batteries are prohibited (see 623).

Lithium batteries that are *packed with* equipment, lithium batteries *sent separately* from equipment, or lithium batteries installed in equipment they intend to operate that are damaged, defective, or recalled batteries are prohibited (see 623).

* * * * *

[FR Doc. 2022–12003 Filed 6–1–22; 11:15 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2021–0400; FRL–9849–01–OCSPP]

Picarbutrazox; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of picarbutrazox in or on multiple commodities which are identified and discussed later in this document. Syngenta Crop Protection, LLC requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective June 6, 2022. Objections and requests for hearings must be received on or before August 5, 2022and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2021–0400, is available at *https://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room and the OPP Docket is (202) 566–1744. For the latest status information on EPA/DC services, docket access, visit *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Marietta Echeverria, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Office of the Federal Register's e-CFR site at *https://www.ecfr.gov/current/title-40.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2021–0400 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before August 5, 2022. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2021–0400 by one of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *https://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

II. Summary of Petitioned-For Tolerance

In the **Federal Register** of August 24, 2021 (83 FR 47275) (FRL–8792–02), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP #1F8917) by Syngenta Crop Protection, LLC, 410 Swing Road, P.O. Box 18300, Greensboro, NC 27410–8300. The petition requested that 40 CFR 180.718(a) be amended by establishing tolerances for residues of the fungicide picarbutrazox, (1,1-dimethylethyl N-[6-[[[(Z)-[(1-methyl-1H-tetrazol-5-yl) phenylmethylene]amino]oxy]methyl]-2-pyridinyl]carbamate, in or on the following raw agricultural commodities: Barley, grain at 0.01 parts per million (ppm); Barley, hay at 0.01 ppm; Barley, straw at 0.01 ppm; Bean, forage at 0.01 ppm; Bean, hay at 0.01 ppm; Buckwheat, forage at 0.01 ppm; Buckwheat, grain at 0.01 ppm; Buckwheat, hay at 0.01 ppm; Buckwheat, straw at 0.01 ppm; Cotton at 0.01 ppm; Cotton, gin byproducts at 0.01 ppm; Cotton, undelinted seed at 0.01 ppm; Herb group 25 at 0.01 ppm; Millet, pearl, forage at 0.01 ppm; Millet, pearl, grain at 0.01 ppm; Millet, pearl, hay at 0.01 ppm; Millet, pearl, straw at

0.01 ppm; Millet, proso, forage at 0.01 ppm; Millet, proso, grain at 0.01 ppm; Millet, proso, hay at 0.01 ppm; Millet, proso, straw at 0.01 ppm; Oat, forage at 0.01 ppm; Oat, hay at 0.01 ppm; Oat, straw at 0.01 ppm; Oat, grain at 0.01 ppm; Pea, hay at 0.01 ppm; Pea, vines at 0.01 ppm; Rapeseed subgroup 20A at 0.01 ppm; Rye, forage at 0.01 ppm; Rye, grain at 0.01 ppm; Rye, hay at 0.01 ppm; Rye, straw at 0.01 ppm; Sorghum at 0.01 ppm; Spice group 26 at 0.01 ppm; Spinach at 0.01 ppm; Teosinte, forage at 0.01 ppm; Teosinte, grain at 0.01 ppm; Teosinte, hay at 0.01 ppm; Teosinte, straw at 0.01 ppm; Triticale, forage at 0.01 ppm; Triticale, grain at 0.01 ppm; Triticale, hay at 0.01 ppm; Triticale, straw at 0.01 ppm; Vegetable, *brassica,* head and stem, group 5–16 at 0.01 ppm; Vegetable, bulb, group 3–07 at 0.01 ppm; Vegetable, cucurbit, group 9 at 0.01 ppm; Vegetable, leafy, group 4–16, except spinach at 0.01 ppm; Vegetable, leaves of root and tuber, group 2 at 0.01 ppm; Vegetable, legume, group 6 at 0.01 ppm; Vegetable, fruiting, group 8–10 at 0.01 ppm; Vegetable, root and tuber, group 1, except potato at 0.01 ppm; Vegetable, stalk, stem, and leaf petiole group 22 at 0.01 ppm; Wheat, forage at 0.01 ppm; Wheat, grain at 0.01 ppm; Wheat, hay at 0.01 ppm; and Wheat, straw at 0.01 ppm. The August 24, 2021, notice of filing referenced a summary of the petition prepared by Syngenta Crop Protection, LLC, the registrant, which is available in the docket, *https://www.regulations.gov.* The only comment received on the notice of filing was from the U.S. Department of Agriculture, indicating support for the tolerance action.

Based upon review of the data supporting the petition, EPA is establishing tolerances in accordance with section 408(d)(4)(a)(i) of the FFDCA.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

Consistent with FFDCA section 408(b)(2)(D), and the factors specified in FFDCA section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for picarbutrazox including exposure resulting from the tolerances established by this action. EPA's assessment of exposures and risks associated with picarbutrazox follows.

In an effort to streamline its publications in the **Federal Register**, EPA is not reprinting sections that repeat what has been previously published for tolerance rulemakings of the same pesticide chemical. Where scientific information concerning a particular chemical remains unchanged, the content of those sections would not vary between tolerance rulemakings and republishing the same sections is unnecessary. EPA considers referral back to those sections as sufficient to provide an explanation of the information EPA considered in making its safety determination for the new rulemaking.

EPA has previously published a tolerance rulemaking for picarbutrazox, most recently on March 5, 2021, in which EPA concluded, based on the available information, that there is a reasonable certainty that no harm would result from aggregate exposure to picarbutrazox and established tolerances for residues of that pesticide chemical. EPA is incorporating previously published sections from the March 5, 2021, rulemaking as described further in this rulemaking, as they remain unchanged.

A. Toxicological Profile

For a discussion of the Toxicological Profile of picarbutrazox, see Unit III.A. of the March 5, 2021, rulemaking (86 FR 12829) (FRL–10019–99).

B. Toxicological Points of Departure/Levels of Concern

For a summary of the Toxicological Points of Departure/Levels of Concern used for the safety assessment, see Unit III.B. of the March 5, 2021, rulemaking.

C. Exposure Assessment.

Much of the exposure assessment remains the same, although updates have occurred to accommodate exposures from the petitioned-for tolerances. The updates are discussed in this section; for a description of the rest of the EPA approach to and assumptions for the exposure assessment, see Unit III.C. of the March 5, 2021, rulemaking.

Dietary exposure from food and feed uses. EPA's dietary exposure assessments have been updated to include the added exposure from the seed treatment uses of picarbutrazox on many agricultural commodities. In addition, the dietary exposure assessment was revised to reflect the updated Dietary Exposure Evaluation Model that incorporates the What We Eat in America (WWEIA) consumption data from 2005–2010. For the acute dietary exposure assessment, no toxicological effects of concern resulting from a 1-day or single exposure were identified; therefore, this assessment is unnecessary. For the chronic dietary exposure assessment, EPA used tolerance-level residues, 100 percent crop treated (PCT), and default processing factors.

Anticipated residue and percent crop treated (PCT) information. EPA did not use anticipated residue and/or PCT information in the dietary assessment for picarbutrazox. Tolerance level residues and/or 100 PCT were assumed for all food commodities.

Drinking water, non-occupational, and cumulative exposures. Drinking water exposures and residential (non-occupational) exposures are not impacted by the added seed treatment uses in this action. Since the last assessment in March 2021, the turf application rate has increased (from 0.33 lb picarbutrazox/acre to 0.44 lb picarbutrazox/acre), resulting in updated estimated drinking water concentrations (EDWCs). The most recent dietary risk assessment used the updated surface water EDWC of 2.33 ppb, which was calculated with the Pesticide in Water Calculator (PWC) ver. 2.001. Despite the increased turf application rate, the EDWC decreased from the March 2021 rule, which used a turf surface water EDWC of 2.56 ppb. The decreased EDWC is due to use of new weather data in the turf modeling scenario.

Picarbutrazox is currently registered for use on turf that could result in residential exposures. The residential risk estimate that was used in the aggregate assessment is incidental oral hand-to-mouth post-application exposure to treated turf/lawns for children aged 1 to less than 2 years old. The Agency would like to note that the March 2021 rule inaccurately described intermediate-term aggregate exposure. The only exposure, or risk assessed, for

residential post-application exposures in the March 2021 rule was for incidental oral scenarios for children 1 to <2 years old, which is a short-term exposure. Intermediate-term exposure is not anticipated when assessing incidental oral exposures.

EPA's conclusions concerning cumulative risk remain unchanged from the March 5, 2021, rulemaking.

D. Safety Factor for Infants and Children

EPA continues to conclude that there is reliable data to support the reduction of the Food Quality Protection Act (FQPA) safety factor to 1x. See Unit III.D. of the March 5, 2021, rulemaking for a discussion of the Agency's rationale for that determination.

E. Aggregate Risks and Determination of Safety

EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute population adjusted dose (aPAD) and chronic population adjusted dose (cPAD). For linear cancer risks, EPA calculates the lifetime probability of acquiring cancer given the estimated aggregate exposure. Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate points of departure to ensure that an adequate margin of exposure (MOE) exists.

Picarbutrazox is not expected to pose an acute dietary risk, as no adverse effect from a single dose exposure was identified and no acute dietary endpoint was selected. Chronic dietary risks are below the Agency's level of concern of 100% of the cPAD; they are <1% of the cPAD for all infants (<1 year old), the population group receiving the greatest exposure.

The Agency analyzed short-term aggregate risk by aggregating chronic dietary (food and drinking water) exposure to children 1 to <2 years old with incidental oral hand-to-mouth post-application exposure to children 1 to <2 years old on treated turf. EPA has concluded the combined short-term food, water, and residential exposures result in an aggregate MOE of 920 for children 1 to <2 years old. Because EPA's level of concern for picarbutrazox is an MOE of 30 or below, these MOEs are not of concern.

Based on the lack of chronic risk, EPA concludes that aggregate exposure to picarbutrazox will not pose a cancer risk to humans.

Therefore, based on these risk assessments and information described above, EPA concludes that there is a reasonable certainty that no harm will result to the general population, or to infants and children from aggregate exposure to picarbutrazox residues. More detailed information can be found at *https://www.regulations.gov* in the document titled ''Picarbutrazox. Human Health Risk Assessment for the Proposed Section 3 Registration to Expand Seed Treatment Use for Several Agricultural Crops'' in docket ID number EPA–HQ–OPP–2021–0400.

IV. Other Considerations

A. Analytical Enforcement Methodology

For a discussion of the available analytical enforcement method, see Unit IV.A. of the March 5, 2021, rulemaking.

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4).

The Codex has not established an MRL for picarbutrazox.

C. Revisions to Petitioned-For Tolerances

EPA is establishing tolerances for three crop groups: (1) vegetable, foliage of legume, group 7; (2) grain, cereal, except rice, group 15; and (3) grain, cereal, forage, fodder and straw, group 16. EPA is not establishing tolerances for individual commodities included in the petition. For example, EPA is establishing a tolerance for grain, cereal, except rice, group 15 rather than establishing tolerances for the individual commodities barley, grain; buckwheat, grain; oat, grain; pearl millet, grain; proso millet, grain; rye, grain; sorghum; teosinte, grain; triticale, grain; and wheat, grain.

EPA is not establishing a tolerance for cotton as requested because cotton is already established under the tolerance for cotton, undelinted seed. EPA is establishing tolerances for vegetable, root, subgroup 1A and vegetable, tuberous and corm, except potato, subgroup 1D rather than the petitioned-for tolerance for root and tuber vegetables, except potato, crop group 1. Because data on potato was not provided, EPA is establishing tolerances for subgroups 1A and 1D, which do not require potato representative commodity data. All commodities in group 1, except potato, are covered by establishing tolerances on those two subgroups, so EPA is establishing tolerances substantively consistent with what the petition requested.

EPA is also correcting the definitions of the following commodities to conform with EPA's Food and Feed Commodity Vocabulary. The commodity definition for herb crop group 25 is revised to herb group 25. The commodity definition for rapeseed (including canola) subgroup 20A is revised to rapeseed subgroup 20A. The commodity definition for spice crop group 26 is revised to spice group 26. The commodity definition for brassica head and stem vegetables crop group 5–16 is revised to vegetable, *Brassica,* head and stem, group 5–16. The commodity definition for bulb vegetable group crop group 3–07 is revised to vegetable, bulb, group 3–07. The commodity definition for cucurbit vegetables crop group 9 is revised to vegetable, cucurbit, group 9. The commodity definition for fruiting vegetables crop group 8–10 is revised to vegetable, fruiting, group 8–10. The commodity definition for leafy vegetables crop group 4–16 is revised to vegetable, leafy, group 4–16. The commodity definition for leaves of root and tuber vegetables crop group 2 is revised to vegetable, leaves of root and tuber, group 2. The commodity definitions for edible-podded legume vegetables crop subgroup 6A; succulent shelled pea and bean crop subgroup 6B; dried shelled pea and bean except soybean, subgroup 6C are revised to vegetable, legume, group 6. The commodity definition for stalk, stem, and leaf petiole vegetable crop group 22 is revised to vegetable, stalk, stem, and leaf petiole, group 22.

Finally, EPA is removing the established tolerances of 0.01 ppm for corn, field, forage; corn, field, grain; corn, field, stover; corn, pop, grain; corn, pop, stover; corn, sweet, forage; corn, sweet, kernel plus cob with husks removed; corn, sweet, stover; soybean, forage; soybean, hay; and soybean, seed because these commodities are included in vegetable, legume, group 6; vegetable, foliage of legume, group 7; grain, cereal, except rice, group 15; or grain, cereal, forage, fodder, and straw, group 16.

V. Conclusion

Therefore, tolerances are established for residues of picarbutrazox, (1,1-dimethylethyl N-[6-[[[(Z)-[(1-methyl-1H-tetrazol-5-yl)phenylmethylene] amino]oxy]methyl]-2-pyridinyl]carbamate, in or on cotton, gin byproducts at 0.01 ppm; cotton, undelinted seed at 0.01 ppm; grain, cereal, except rice, group 15 at 0.01 ppm; grain, cereal, forage, fodder, and

straw, group 16 at 0.01 ppm; herb group 25 at 0.01 ppm; rapeseed subgroup 20A at 0.01 ppm; spice group 26 at 0.01 ppm; vegetable, *Brassica,* head and stem, group 5–16 at 0.01 ppm; vegetable, bulb, group 3–07 at 0.01 ppm; vegetable, cucurbit, group 9 at 0.01 ppm; vegetable, foliage of legume, group 7 at 0.01 ppm; vegetable, fruiting, group 8–10 at 0.01 ppm; vegetable, leafy, group 4–16 at 0.01 ppm; vegetable, leaves of root and tuber, group 2 at 0.01 ppm; vegetable, legume, group 6 at 0.01 ppm; vegetable, stalk, stem, and leaf petiole group 22 at 0.01 ppm; vegetable, root, subgroup 1A at 0.01 ppm; and vegetable, tuberous and corm, except potato, subgroup 1D at 0.01 ppm.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001), or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerance in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or Tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or Tribal Governments, on the relationship between the National Government and the States or Tribal Governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian Tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000), do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 25, 2022.

Marietta Echeverria,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.718, revise Table 1 to Paragraph (a) to read as follows:

§ 180.718 Picarbutrazox; tolerances for residues.

(a) * * *

TABLE 1 TO PARAGRAPH (a)

Commodity	Parts per million
Cotton, gin byproducts	0.01
Cotton, undelinted seed	0.01
Grain, cereal, except rice, group 15	0.01
Grain, cereal, forage, fodder, and straw, group 16	0.01
Herb group 25	0.01
Rapeseed subgroup 20A	0.01
Spice group 26	0.01
Vegetable, *Brassica,* head and stem, group 5–16	0.01
Vegetable, bulb, group 3–07	0.01
Vegetable, cucurbit, group 9	0.01
Vegetable, foliage of legume, group 7	0.01
Vegetable, fruiting, group 8–10	0.01
Vegetable, leafy, group 4–16	0.01
Vegetable, leaves of root and tuber, group 2	0.01
Vegetable, legume, group 6	0.01
Vegetable, stalk, stem, and leaf petiole group 22	0.01
Vegetable, root, subgroup 1A	0.01
Vegetable, tuberous and corm, except potato, subgroup 1D	0.01

* * * * *

[FR Doc. 2022–11993 Filed 6–3–22; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[EPA–HQ–OPP–2021–0434; FRL–9636–01–OCSPP]

Teflubenzuron; Pesticide Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes tolerances for residues of the insecticide teflubenzuron in or on grape and grape, raisin. There is no U.S. registration associated with these tolerances. BASF Corporation requested these tolerances under the Federal Food, Drug, and Cosmetic Act (FFDCA).

DATES: This regulation is effective June 6, 2022. Objections and requests for hearings must be received on or before August 5, 2022 and must be filed in accordance with the instructions provided in 40 CFR part 178 (see also Unit I.C. of the **SUPPLEMENTARY INFORMATION**).

ADDRESSES: The docket for this action, identified by docket identification (ID) number EPA–HQ–OPP–2021–0434, is available at *https://www.regulations.gov* or at the Office of Pesticide Programs Regulatory Public Docket (OPP Docket) in the Environmental Protection Agency Docket Center (EPA/DC), West William Jefferson Clinton Bldg., Rm. 3334, 1301 Constitution Ave. NW, Washington, DC 20460–0001. The Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Public Reading Room and the OPP Docket is (202) 566–1744.

Please review the visitor instructions and additional information about the docket available at *https://www.epa.gov/dockets.*

FOR FURTHER INFORMATION CONTACT: Marietta Echeverria, Acting Director, Registration Division (7505T), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001; main telephone number: (202) 566–1030; email address: *RDFRNotices@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this action apply to me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).
- Food manufacturing (NAICS code 311).
- Pesticide manufacturing (NAICS code 32532).

B. How can I get electronic access to other related information?

You may access a frequently updated electronic version of EPA's tolerance regulations at 40 CFR part 180 through the Office of the Federal Register's e-CFR site at *https://www.ecfr.gov/current/title-40.*

C. How can I file an objection or hearing request?

Under FFDCA section 408(g), 21 U.S.C. 346a(g), any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. You must file your objection or request a hearing on this regulation in accordance with the instructions provided in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number EPA–HQ–OPP–2021–0434 in the subject line on the first page of your submission. All objections and requests for a hearing must be in writing and must be received by the Hearing Clerk on or before August 5, 2022. Addresses for mail and hand delivery of objections and hearing requests are provided in 40 CFR 178.25(b).

In addition to filing an objection or hearing request with the Hearing Clerk as described in 40 CFR part 178, please submit a copy of the filing (excluding any Confidential Business Information (CBI)) for inclusion in the public docket. Information not marked confidential pursuant to 40 CFR part 2 may be disclosed publicly by EPA without prior notice. Submit the non-CBI copy of your objection or hearing request, identified by docket ID number EPA–HQ–OPP–2021–0434, by one of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be CBI or other information whose disclosure is restricted by statute.
- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460–0001.
- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at *https://www.epa.gov/dockets/contacts.html.*

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at *https://www.epa.gov/dockets.*

II. Summary of Petitioned-For Tolerance

In the **Federal Register** of August 24, 2021 (86 FR 47275) (FRL–8792–02), EPA issued a document pursuant to FFDCA section 408(d)(3), 21 U.S.C. 346a(d)(3), announcing the filing of a pesticide petition (PP 0E8874) by BASF Corporation, 26 Davis Drive, Research Triangle Park, NC 27709. The petition requested that 40 CFR 180.687 be amended by establishing tolerances for residues of the insecticide teflubenzuron, (*N*-[[(3,5-dichloro-2,4-difluorophenyl)amino]carbonyl]-2,6-difluorobenzamide), in or on grape at 0.7 parts per million (ppm) and grape, raisin at 0.9 ppm. That document referenced a summary of the petition prepared by BASF Corporation, which is available in docket ID number EPA–HQ–OPP–2021–0434 in *https://www.regulations.gov.* No substantive public comments were received in response to the notice of filing.

III. Aggregate Risk Assessment and Determination of Safety

Section 408(b)(2)(A)(i) of FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) of FFDCA defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure through drinking water and in residential settings but does not include occupational exposure. Section 408(b)(2)(C) of FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .''

Consistent with FFDCA section 408(b)(2)(D), and the factors specified therein, EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of and to make a determination on aggregate exposure for teflubenzuron including exposure resulting from the tolerances established by this action. EPA's assessment of exposures and risks associated with teflubenzuron follows.

In an effort to streamline its publications in the **Federal Register**, EPA is not reprinting sections that repeat what has been previously published for tolerance rulemakings of the same pesticide chemical. Where scientific information concerning a particular chemical remains unchanged, the content of those sections would not vary between tolerance rulemakings, and EPA considers referral back to those sections as sufficient to provide an explanation of the information EPA considered in making its safety determination for the new rulemaking.

EPA has previously published tolerance rulemakings for teflubenzuron in which EPA concluded, based on the available information, that there is a reasonable certainty that no harm would result from aggregate exposure to teflubenzuron and established tolerances for residues of that chemical.

EPA is incorporating previously published sections from those rulemakings as described further in this rulemaking, as they remain unchanged.

Toxicological Profile. For a discussion of the Toxicological Profile of teflubenzuron, see Unit III.A of the teflubenzuron tolerance rulemaking published in the **Federal Register** of October 30, 2015 (80 FR 66805) (FRL–9933–25).

Toxicological Points of Departure/Levels of Concern. For a discussion of the Toxicological Points of Departure/Levels of Concern used for the safety assessment of teflubenzuron, see Unit III.B of the October 30, 2015, rulemaking.

Exposure Assessment. Much of the exposure assessment for teflubenzuron remains unchanged from the discussion in Unit III.C of the October 30, 2015, rulemaking, except as described below.

The current exposure assessment incorporates the additional dietary exposure from this petitioned-for tolerances. Because this action establishes tolerances for residues of teflubenzuron in or on imported commodities for which there are no associated U.S. registrations, dietary exposure (food only) is the only anticipated exposure pathway. There are no domestic agricultural or residential uses registered or proposed for teflubenzuron that would result in drinking water or residential exposures. This tolerance petition does not warrant an occupational handler exposure assessment because the petition is for import tolerances without a U.S. registration. There are no short- or intermediate-term exposures from the use of teflubenzuron. An acute risk assessment was not performed because there were no toxicological effects attributable to a single dose identified.

The unrefined chronic dietary (food only) exposure estimates represent the aggregate exposure assessment and assumed that teflubenzuron residues are present in all commodities at tolerance levels and that 100% of all crops are treated. Empirical processing factors of 0.08 for apple juice and 0.04 for orange juice were incorporated into the dietary exposure model and the Agency's 2018 default processing factors were used to estimate residues in other processed commodities. The Agency's approach for assessing these factors is discussed in detail in the document titled ''Chronic Dietary (Food Only) Exposure and Risk Assessment for the Proposed Tolerances Without a U.S. Registration for Residues in/on Grapes.'' in docket ID number EPA–HQ–OPP–2021–0434.

Safety Factor for Infants and Children. EPA continues to conclude that there is reliable data showing that the safety of infants and children would be adequately protected if the Food Quality Protection Act (FQPA) safety factor were reduced from 10X to 1X. The reasons for that decision are articulated in Unit III.D of the October 30, 2015, rulemaking.

Aggregate Risks and Determination of Safety. EPA determines whether acute and chronic dietary pesticide exposures are safe by comparing aggregate exposure estimates to the acute population-adjusted dose (aPAD) and chronic population-adjusted dose PAD (cPAD). Short-, intermediate-, and chronic-term risks are evaluated by comparing the estimated aggregate food, water, and residential exposure to the appropriate points of departure (PODs) to ensure that an adequate margin of exposure (MOE) exists.

An endpoint of concern attributable to a single dose was not identified; therefore, an acute dietary assessment was not performed. Chronic dietary risks are below the Agency's level of concern of 100% of the cPAD for the U.S. general population and all population subgroups. The most highly exposed population subgroup is children 1–2 years old with an estimated risk of 48% of the cPAD.

In accordance with the EPA's ''Final Guidelines for Carcinogen Risk Assessment'' (March 2005), the Cancer Assessment Review Committee (CARC) classified teflubenzuron as ''Suggestive Evidence of Carcinogenic Potential'' based on the presence of rare liver tumors in male mice only. The Agency has determined that quantification of risk using a non-linear approach (*i.e.,* reference dose [RfD]) will adequately account for all chronic toxicity, including carcinogenicity, that could result from exposure to teflubenzuron. Therefore, the chronic dietary risks, which are not of concern, are considered protective of both non-cancer and cancer effects.

Determination of Safety. Therefore, based on the risk assessments and information described above, EPA concludes there is a reasonable certainty that no harm will result to the general population, or to infants and children, from aggregate exposure to teflubenzuron residues. More detailed information about the Agency's analysis can be found at *https://www.regulations.gov* in the document titled ''Chronic Dietary (Food Only) Exposure and Risk Assessment for the Proposed Tolerances Without a U.S. Registration for Residues in/on Grapes.'' This document can be found in docket ID number EPA–HQ–OPP–2021–0434.

IV. Other Considerations

A. Analytical Enforcement Methodology

An adequate analytical method is available to enforce the petitioned-for tolerances for residues of teflubenzuron in/on crop commodities. Samples were analyzed for residues of teflubenzuron using a high-performance liquid chromatography method with tandem mass spectrometry detection (LC/MS/MS), SOP–PA.0250. Acceptable concurrent recoveries were reported for samples of grape fortified with teflubenzuron at 0.01–1.0 ppm, thus validating the method. The limit of quantitation (LOQ; determined as the lowest level of method validation, LLMV) was 0.01 ppm. The estimated LOD (limit of detection) was 20% of the LOQ or 0.002 ppm.

These methods may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Road, Fort Meade, MD 20755–5350; telephone number: (410) 305–2905. email address: *residuemethods@epa.gov.*

B. International Residue Limits

In making its tolerance decisions, EPA seeks to harmonize U.S. tolerances with international standards whenever possible, consistent with U.S. food safety standards and agricultural practices. EPA considers the international maximum residue limits (MRLs) established by the Codex Alimentarius Commission (Codex), as required by FFDCA section 408(b)(4). Codex is a joint United Nations Food and Agriculture Organization/World Health Organization food standards program, and it is recognized as an international food safety standards-setting organization in trade agreements to which the United States is a party. EPA may establish a tolerance that is different from a Codex MRL; however, FFDCA section 408(b)(4) requires that EPA explain the reasons for departing from the Codex level.

The U.S. tolerance level for grape residues established in this action is harmonized with Codex. There are no established Canadian or Mexican MRLs for residues of teflubenzuron on grape. Additionally, there are no established Codex, Canadian, or Mexican MRLs for residues of teflubenzuron on grape, raisin.

C. Revisions to Petitioned-For Tolerances

Based upon the submitted data, no revisions to the petitioned-for tolerances proposed for residues in/on grape and grape, raisin are needed.

V. Conclusion

Therefore, tolerances are established for residues of the insecticide teflubenzuron, (*N*-[[(3,5-dichloro-2,4-difluorophenyl)amino]carbonyl]-2,6-difluorobenzamide), in or on grape at 0.7 ppm; and grape, raisin, at 0.9 ppm.

VI. Statutory and Executive Order Reviews

This action establishes tolerances under FFDCA section 408(d) in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled ''Regulatory Planning and Review'' (58 FR 51735, October 4, 1993). Because this action has been exempted from review under Executive Order 12866, this action is not subject to Executive Order 13211, entitled ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001) or Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997). This action does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA) (44 U.S.C. 3501 *et seq.*), nor does it require any special considerations under Executive Order 12898, entitled ''Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations'' (59 FR 7629, February 16, 1994).

Since tolerances and exemptions that are established on the basis of a petition under FFDCA section 408(d), such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), do not apply.

This action directly regulates growers, food processors, food handlers, and food retailers, not States or tribes, nor does this action alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of FFDCA section 408(n)(4). As such, the Agency has determined that this action will not have a substantial direct effect on States or tribal governments, on the relationship between the National Government and the States or tribal governments, or on the distribution of power and responsibilities among the various levels of government or between the Federal Government and Indian tribes. Thus, the Agency has determined that Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), and Executive Order 13175, entitled ''Consultation and Coordination with Indian Tribal Governments'' (65 FR 67249, November 9, 2000), do not apply to this action. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act (UMRA) (2 U.S.C. 1501 *et seq.*).

This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note).

VII. Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 24, 2022.

Marietta Echeverria,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, for the reasons stated in the preamble, EPA is amending 40 CFR chapter I as follows:

PART 180—TOLERANCES AND EXEMPTIONS FOR PESTICIDE CHEMICAL RESIDUES IN FOOD

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.687:
■ a. Amend paragraph (a)(1) by:
■ i. Adding a table heading;
■ ii. Adding the commodities ''Grape'' and ''Grape, raisin'' to the table in alphabetical order; and
■ iii. Revising footnote 1.
■ b. Add a reserved paragraph (a)(2).
■ c. Remove and reserve paragraphs (b), (c), and (d).

The additions and revision read as follows:

§ 180.687 Teflubenzuron; tolerances for residues.

(a) * * *

(1) * * *

TABLE 1 TO PARAGRAPH (a)(1)

Commodity	Parts per million
* * * * *	
Grape [1]	0.7
Grape, raisin [1]	0.9
* * * * *	

[1] Tolerance without U.S. registration.

* * * * *

[FR Doc. 2022–11558 Filed 6–3–22; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[MD Docket 20–270; FR ID 87861]

Schedule of Application Fees of the Commission's Rules; Amendment

AGENCY: Federal Communications Commission.

ACTION: Correcting amendment.

SUMMARY: With this amendment, the Federal Communications Commission (Commission) amends its rules to correct an inadvertent error in the *Application Fee Report and Order,* published in the **Federal Register** on March 19, 2021.

DATES: Effective July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Roland Helvajian, Office of the Managing Director at (202) 418–0444.

SUPPLEMENTARY INFORMATION: On December 29, 2020, the Commission released the *Application Fee Report and Order,* and published a final rule in the **Federal Register** on March 19, 2021, at 86 FR 15026. The *Application Fee Report and Order,* among other things, erroneously omitted the fee for earth station applications for special temporary authority (STA). Subsequently, on October 25, 2021, the Commission released an Erratum, FCC–21–110, which among other things, corrected this omission by making changes to the *Application Fee Report and Order,* including revising the Commission's rules, specifically 47 CFR 1.1107, to revise the application fee schedule table to incorporate the fee for earth station applications for special temporary authority, and by revising the wording in specific instances from ''transaction'' to ''application.'' In this document, the Commission amends the following:

1. The second to the last sentence in paragraph 144 is amended to read as follows:

''We assess this pro forma application fee on a per application basis because the costs involved with processing these applications typically are incurred per application due to the pro forma nature of these applications.''

2. The Table in paragraph 152 is amended to read as follows:

We adopt the following cost-based fees for earth stations.

Application	New fee
Fixed or Temporary Fixed Transmit or Transmit/Receive Earth Stations, per Call Sign:	
Initial application, single site	$360.
Initial application, multiple sites	$6,515.
Receive Only Earth Stations License or Registration, per call sign or registration:	
Initial application or registration, single site, per site	$175.
Initial application or registration, multiple sites, per system	$465.
Blanket Earth Stations, per call sign:	
Initial Application for Blanket Authorization	$360.
Mobile Earth Stations, per call sign:	
Initial Application for Blanket Authorization, per system	$815.
Amendments to Earth Station Applications or Registrations, per call sign:	
Single Site	$430.
Multiple Sites	$630.
Other Earth Station Applications:	
Modification of Earth Station Licenses or Registrations, per call sign	$545.
Assignment or Transfer of Control of Earth Station Licenses or Registrations	$745 (first call sign; $400 for each additional).
Pro Forma Assignment or Transfer of Control of Earth Station Licenses or Registrations, per application.	$400.
Earth Station Special Temporary Authority, per call sign	$195.
Renewals of Earth Station Licenses, per Call Sign:	
Single Site	$115.
Multiple Sites	$145.
Requests for U.S. Market for Non-U.S. Licensed Space Stations, per request	See the fee categories for Space Stations.

3. The last sentence in paragraph 167 is amended to read as follows:

''We apply this pro forma fee on a per application basis because, as discussed in the case of earth station application, the costs involved with processing these applications typically are incurred by application rather than by call sign.''

4. The fee table in paragraph 168 is amended to read as follows:

Filing category	New fee
Space Stations, Geostationary Orbit:	
Application for Authority to Construct, Deploy, and Operate, per satellite	$3,555.
Application for Authority to Operate, per satellite	$3,555.
Space Stations, Non-Geostationary Orbit:	
Application for Authority to Construct, Deploy, and Operate, per system of technically identical satellites, per Call Sign.	$15,050.
Application for Authority to Operate, per system of technically identical satellites, per Call Sign.	$15,050.
Space Stations, Petition for Declaratory Ruling for a Foreign Space Station to Access the United States Market:	
GSO	$3,555.
NGSO	$15,050.
Small satellite NGSO	$2,175.
Space Stations, Small Satellites, or Small Spacecraft:	
Application to Construct, Deploy, and Operate, per Call Sign	$2,175.
Space Stations, Other Applications:	
Space Stations, Amendments, per Call Sign	$1,620.
Space Stations, Modifications, per Call Sign	$2,495.
Space Stations, Assignment or Transfer of Control	$745 (first call sign; $400 for each additional).
Space Stations, Pro Forma Assignment or Transfer of Control, per Application	$400.
Space Stations, Special Temporary Authority, per Call Sign	$1,435.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure.

Federal Communications Commission.

Marlene Dortch,

Secretary.

Part 1 of Title 47 of the Code of Federal Regulations is amended by making the following correcting amendments:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461, unless otherwise noted.

■ 1. Amend § 1.1107 by revising table 1 to read as follows:

§ 1.1107 Schedule of charges for applications and other filings for international services.

* * * * *

TABLE 1 TO § 1.1107

	New fee
Cable landing license, per application:	
New License	$3,835.
Assignment/Transfer of Control	$1,230.
Pro Forma Assignment/Transfer of Control	$400.
Foreign Carrier Affiliation Notification	$495.
Modification	$1,230.
Renewal	$2,440.
Special Temporary Authority	$675.
Waiver	$335.
International Section 214 Authorization, per Application:	
New Authorization	$785.
Assignment/transfer of control	$1,230.
Pro forma Assignment/transfer of control	$400.
Foreign Carrier Affiliation Notification	$495.
Modification	$675.
Special Temporary Authority	$675.
Waiver	$335.
Discontinuance of services	$335.
Section 310(b) Foreign Ownership, per Application:	
Petition for Declaratory Ruling	$2,485.
Waiver	$335.
Recognized Operating Agency per Application:	
Application for ROA Status	$1,145.
Waiver	$335.
Data Network Identification Code (DNIC), per Application:	
New DNIC	$785.
Waiver	$335.
International Signaling Point Code (ISPC), per Application:	
New ISPC	$785.
Transfer of Control	$675.
Modification	$675.
Waiver	$335.
Satellite Earth Station Applications:	
Fixed or Temporary Fixed Transmit or Transmit/Receive Earth Stations, per Call Sign:	
Initial application, single site	$360.
Initial application, multiple sites	$6,515.
Receive Only Earth Stations License or Registration, per Call Sign or Registration:	
Initial application or registration, single site	$175.
Initial application or registration, multiple sites, per system	$465.
Initial application for Blanket Earth Stations, per Call Sign	$360.
Mobile Earth Stations Applications, per Call Sign:	
Initial Application for Blanket Authorization, per system, per Call Sign	$815.
Amendments to Earth Station Applications or Registrations per Call Sign:	
Single Site	$430.
Multiple Sites	$630.
Earth Stations, Other Applications:	
Applications for Modification of Earth Station Licenses or Registrations, per Call Sign	$545.
Assignment or Transfer of Control of Earth Station Licenses or Registrations, per Call Sign	$745 (first call sign). $400 (for each additional call sign).
Pro Forma Assignment or Transfer of Control of Earth Station Licenses or Registrations, per Application.	$400.
Earth Station Special Temporary Authority, per call sign	$195.
Earth Station Renewals of Licenses, per Call Sign:	
Single Site	$115.
Multiple Sites	$145.
Earth Station Requests for U.S. Market Access for Non-U.S. Licensed Space Stations	See Space Stations.
Satellite Space Station Applications:	
Space Stations, Geostationary Orbit:	
Application for Authority to Construct, Deploy, and Operate, per satellite	$3,555.
Application for Authority to Operate, per satellite	$3,555.
Space Stations, Non-Geostationary Orbit:	
Application for Authority to Construct, Deploy, and Operate, per system of technically identical satellites, per Call Sign.	$15,050.
Application for Authority to Operate, per system of technically identical satellites, per Call Sign.	$15,050.
Space Stations, Petition for Declaratory Ruling for Foreign-Licensed Space Station to Access the U.S. Market:	
Geostationary Orbit, per Call Sign	$3,555.
Non-Geostationary Orbit, per Call Sign	$15,050.
Small Satellites, per Call Sign	$2,175.
Space Stations, Small Satellites, or Small Spacecraft:	
Application to Construct, Deploy, and Operate, per Call Sign	$2,175.

TABLE 1 TO § 1.1107—Continued

	New fee
Other Applications for Space Stations:	
Space Stations, Amendments, per Call Sign	$1,620.
Space Stations, Modifications, per Call Sign	$2,495.
Space Stations, Assignment or Transfer of Control, per Call Sign	$745 (first call sign). $400 (for each additional call sign).
Space Stations, Pro Forma Assignment or Transfer of Control, per Application	$400.
Space Stations, Special Temporary Authority, per Call Sign	$1,435.
Unified Space Station and Earth Station Initial Application, Amendment, and Modification:	
Unified Space Station and Earth Station Initial Application, Amendment, and Modification	Applicable Space Station Fee + Applicable Earth Station Fee.
International Broadcast Stations (IBS) Applications:	
New Construction Permit	$4,010.
Construction Permit Modification	$4,010.
New License	$905.
License Renewal	$230.
Frequency Assignment	$80.
Transfer of Control	$595.
Special Temporary Authority	$395.
Permit to Deliver Programs to Foreign Broadcast Stations under Section 325(c) Applications:	
New License	$360.
License Modification	$185.
License Renewal	$155.
Special Temporary Authority	$155.
Transfer of Control	$260.

[FR Doc. 2022–11732 Filed 6–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 10

[PS Docket Nos. 15–94, 15–91; FCC 21–77; FR ID 89690]

Emergency Alert System, Wireless Emergency Alerts; National Defense Authorization Act for Fiscal Year 2021

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of compliance date.

SUMMARY: In this document, the Commission announces that the Office of Management and Budget (OMB) has approved information collections associated with certain rules adopted in the Report and Order. The Commission also announces that compliance with the rules is now required. The Commission also removes paragraphs advising that compliance was not required until OMB approval was obtained. This document is consistent with the NDAA21 Alerting Order and rules, which state the Commission will publish a document in the **Federal Register** announcing a compliance date for the rule sections and revise the rules accordingly.

DATES: This rule is effective June 6, 2022.

Compliance with 47 CFR 10.11(b), published at 86 FR 46783 on August 20, 2021, is required as of July 31, 2022.

Compliance with 47 CFR 10.520(d)(2), published at 86 FR 46783 on August 20, 2021, is required as of June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Chris Fedeli, Attorney-Advisor, Public Safety and Homeland Security Bureau, Policy and Licensing Division at (202) 418–1514 or *christopher.fedeli@fcc.gov*.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order (NDAA21 Alerting Order), FCC 21–77, in PS Dockets 15–91 and 15–94, released on June 17, 2021, published at 86 FR 46783 on August 20, 2021.

This document announces that OMB approved the information collection requirements contained in 47 CFR 10.11(b) and 10.520(d)(2).

The Commission publishes this document as an announcement of the compliance date of the rules. If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, 45 L Street NE, Washington, DC 20554, regarding OMB Control Numbers 3060–1302. Please include the relevant OMB Control Number in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov*.

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on April 14, 2022, for the information collection requirements contained in the Commission's rules at 47 CFR 10.11(b) and 10.520(d)(2).

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number.

The foregoing notice is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Numbers: 3060–1302.

OMB Approval Date: April 14, 2022.

OMB Expiration Date: April 30, 2025.

Title: Wireless Emergency Alerts (WEA) Handset Displays and False Alert Reporting.

Form Number: N/A.

Type of Review: New collection.

Respondents: Businesses or other for-profits; State, Local, Tribal, or Federal Government.

Number of Respondents and Responses: 23,277 respondents; 167 responses.

Estimated Time per Response: 1 hour–150 hours.

Frequency of Response: On occasion and one-time reporting requirement.

Obligation to Respond: Mandatory and Voluntary. Statutory authority for this information collection is contained in 47 U.S.C. 151, 152, 154(i), 154(o), 301, 303(r), 303(v), 307, 309, 335, 403, 544(g), 606, 613, 1201, 1202, 1203, 1204 and 1206.

Total Annual Burden: 22,815 hours.

Total Annual Cost: No cost.

Privacy Act Impact Assessment: No Impact(s).

Nature and Extent of Confidentiality: There is no assurance of confidentiality associated with this collection of information.

Needs and Uses: This is a notification of OMB approval of a new information collection for two new regulations under the Commission's part 10 Wireless Emergency Alert (WEA) rules. No other information collections contained in the Commission's regulations will be impacted by the new rules described herein.

The WEA system is a mechanism under which Commercial Mobile Service (CMS) providers may elect to transmit emergency alerts to the public. The Commission created WEA (previously known as the Commercial Mobile Service Alert System) as required by Congress in the Warning Alert and Response Network (WARN) Act and to satisfy the Commission's mandate to promote the safety of life and property through the use of wire and radio communication.

On January 1, 2021, Congress passed the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (NDAA21). Section 9201 of the NDAA21 required the Commission to complete a rulemaking and adopt rules within 180 days to make certain changes to its WEA regulations (as well as to its separate Emergency Alert System (EAS) regulations governing broadcast, cable television, and direct satellite media emergency alerts).

With respect to the WEA rule changes, Section 9201 directed the Commission to ensure that the mobile devices of CMS providers that have elected to participate in WEA cannot opt out of receiving WEA alerts from the Federal Emergency Management Agency (FEMA) Administrator. Section 9201 also directed the Commission to enable reporting by the FEMA Administrator and State, Tribal, local, and territorial governments of false WEA alerts. On June 21, 2021, the Commission released its NDAA21 Alerting Order, adopting the WEA and EAS changes directed by Congress in the NDAA21. The EAS changes are the subject of a different notice to be published separately.

The NDAA21 Alerting Order implemented Congresses' new directives for WEA, in part, with two new regulations that impose new burdens on respondents: the handset display update, and false alert reporting.

Handset Display Update

In the NDAA21 Alerting Order, the Commission combined the current non-optional class of WEA ''Presidential Alerts'' with FEMA Administrator Alerts into a newly renamed alert class named ''National Alerts.'' Participating CMS providers that have chosen to display the phrase ''Presidential Alert'' on their handsets are required to either discontinue the handset's use of that phrase or change those displays to read ''National Alert'' by July 31, 2022. Network infrastructure that is technically incapable of meeting this requirement, such as legacy devices or networks that cannot be updated to support header display changes, are exempt from this requirement. The handset display changes are necessary to avoid confusion when wireless subscribers receive a non-optional emergency alert from the FEMA Administrator instead of the President.

The handset display update regulation is codified at 47 CFR 10.11(b).

False Alert Reporting

Also in the NDAA21 Alerting Order, the Commission adopted a rule permitting the FEMA Administrator or a State, local, Tribal, or territorial government to voluntarily report WEA false alerts to the FCC Operations Center at *FCCOPS@fcc.gov,* informing the Commission of the event and any relevant details. This rule creates a voluntary mechanism for a collection of information so that the Commission can monitor these false alert events which can undermine public confidence in the reliability of emergency alerting and WEA. Email reporting was adopted as a minimally-burdensome way for government entities to report false alerts.

The WEA false alert reporting regulation is codified at 47 CFR 10.520(d)(2).

List of Subjects in 47 CFR Part 10

Communications common carriers, Radio.

Federal Communications Commission.

Marlene Dortch,

Secretary.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 10 as follows:

PART 10—WIRELESS EMERGENCY ALERTS

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

Authority: 47 U.S.C. 151, 154(i) and (o), 201, 303(r), 403, and 606, 1202(a), (b), (c), (f), 1203, 1204, and 1206.

§ 10.11 [Amended]

■ 2. Section 10.11 is amended by removing paragraph (c).

§ 10.520 [Amended]

■ 3. Section 10.520 is amended by removing paragraph (d)(3).

[FR Doc. 2022–12072 Filed 6–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 11

[PS Docket Nos. 15–94, 15–91; FCC 21–77; FR ID 89691]

Emergency Alert System, Wireless Emergency Alerts; National Defense Authorization Act for Fiscal Year 2021

AGENCY: Federal Communications Commission.

ACTION: Final rule; announcement of compliance date.

SUMMARY: In this document, the Federal Communications Commission (Commission) announces that the Office of Management and Budget (OMB) has approved information collections associated with certain rules adopted in the Report and Order (NDAA21 Alerting Order). The Commission also announces that compliance with the rules is now required. The Commission also removes paragraphs advising that compliance was not required until OMB approval was obtained. This document is consistent with the NDAA21 Alerting Order and rules, which state the Commission will publish a document in the **Federal Register** announcing a compliance date for the rule sections and revise the rules accordingly.

DATES:

Effective date: These rules are effective June 6, 2022.

Compliance date: Compliance with 47 CFR 11.21 introductory text, (a) introductory text, and (a)(8) and 11.45(c), published at 86 FR 46783 on August 20, 2021, is required as of June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Chris Fedeli, Attorney-Advisor, Public Safety and Homeland Security Bureau, Policy and Licensing Division at (202) 418–1514 or *christopher.fedeli@fcc.gov.*

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order (NDAA21 Alerting Order), FCC 21–77, in PS Dockets 15–91 and 15–94, released on June 17, 2021, published at 86 FR 46783 on August 20, 2021.

This document announces that OMB approved the information collection requirements contained in 47 CFR 11.21 introductory text, (a) introductory text, and (a)(8) and 11.45(c).

The Commission publishes this document as an announcement of the compliance date of the rules.

Separately, the Commission observes that some of the information collection requirements made effective by this notice are required to be filed with the Commission using the Alert Reporting System (ARS) on or by July 5, 2022. *See* Federal Communications Commission, Alert Reporting System Available for Filing of State Emergency Alert System Plans, 86 FR 35089 (July 1, 2021).

If you have any comments on the burden estimates listed below, or how the Commission can improve the collections and reduce any burdens caused thereby, please contact Nicole Ongele, Federal Communications Commission, 45 L Street NE, Washington, DC 20554, regarding OMB Control Numbers 3060–0207. Please include the relevant OMB Control Number in your correspondence. The Commission will also accept your comments via email at *PRA@fcc.gov.*

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to *fcc504@fcc.gov* or call the Consumer and Governmental Affairs Bureau at (202) 418–0530 (voice).

Synopsis

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received OMB approval on April 14, 2022, for the information collection requirements contained in the Commission's rules at 47 CFR 11.21 introductory text, (a) introductory text, and (a)(8) and 11.45(c).

Under 5 CFR part 1320, an agency may not conduct or sponsor a collection of information unless it displays a current, valid OMB Control Number.

No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a current, valid OMB Control Number.

The foregoing notification is required by the Paperwork Reduction Act of 1995, Public Law 104–13, October 1, 1995, and 44 U.S.C. 3507.

The total annual reporting burdens and costs for the respondents are as follows:

OMB Control Number: 3060–0207.

OMB Approval Date: April 14, 2022.

OMB Expiration Date: April 30, 2025.

Title: Part 11—Emergency Alert System (EAS), Order, FCC 21–77.

Form No.: N/A.

Number of Respondents and Responses: 63,084 respondents; 3,588,845 responses.

Estimated Time per Response: 0.017 hours–112 hours.

Frequency of Response: Annual, on occasion and one-time reporting requirements.

Obligation to Respond: Mandatory and Voluntary. Statutory authority for this information collection is contained in 47 U.S.C. 154(i) and 606 of the Communications Act of 1934, as amended.

Total Annual Burden: 141,414 hours.

Total Annual Cost: No Cost.

Privacy Act Impact Assessment: No Impact(s).

Nature and Extent of Confidentiality: The Commission shares aggregated and individual State Emergency Alert System (EAS) Plan data on a confidential basis with other Federal agencies and state governmental emergency management agencies that have confidentiality protection at least equal to that provided by the Freedom of Information Act.

Needs and Uses: Part 11 contains rules and regulations addressing the Nation's EAS. The EAS provides the President with the capability to provide immediate communications and information to the general public during periods of national emergency over broadcast television and radio, cable, direct broadcast radio and other EAS Participants, as defined in § 11.11(a) of the Commission's rules. The EAS also provides state and local governments and the National Weather Service with the capability to provide immediate communications and information to the public concerning emergency situations posing a threat to life and property. Part 11 includes testing requirements to ensure proper and efficient operation of the EAS. State and local use of the EAS, alert processing requirements, and monitoring assignments covering the distribution of EAS alerts within the state, among other things, are required to be described in State EAS Plans that are administered by State Emergency Communications Committees (SECC) and submitted to the FCC annually for approval.

The NDAA Alerting Order, pursuant to the directions set forth in Section 9201 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283, 134 Stat. 3388, section 9201 (NDAA21), among other things, (i) requires the Public Safety and Homeland Security Bureau (Bureau) to establish a State EAS Plan Content Checklist composed of the content set forth in § 11.21 of the Commission's rules, 47 CFR 11.21, post the checklist on the FCC's website, and incorporate it as an appendix in the ARS user manual; (ii) amends the State EAS Plan requirements in § 11.21 of the Commission's rules to ensure plans are updated annually, require a certification by the SECC Chairperson or Vice-Chairperson that the SECC met (in person, via teleconference, or via other methods of conducting virtual meetings) at least once in the twelve months prior to submitting the annual updated plan, and require that the Bureau approve or reject State EAS Plans submitted for approval within 60 days of receipt; and (iii) requires the Bureau to list the approval dates of State EAS Plans submitted on ARS on the Commission's website, and in the event a final decision is made to deny a plan, directly notify the chief executive of the State to which the plan applies of that determination and the reasons for such denial within 30 days of such decision. The Order also amends § 11.45 of the part 11 rules to enable voluntary reporting to the Commission by the FEMA Administrator and Tribal, State, local, and territorial governments of false EAS alerts.

The Commission notifies the public of OMB approval of these rule amendments as a modification of a previously approved information collection. Congress has determined that EAS rule changes are necessary to increase oversight over the distribution of state and local EAS alerts within states and to increase false alert reporting capabilities to help ameliorate confusion or other harmful effects that might result from false EAS alerts. The internal State EAS Plan processing requirements and rule changes adopted in the Order will improve State EAS

Plan processing and administration, thereby improving the capabilities and efficacy of EAS as a national system for distributing vital alert information to all Americans in a cost-effective manner.

The following information collections contained in part 11 may be impacted by the rule amendments described herein.

State EAS Plans (47 CFR 11.21)

The establishment of a State EAS Plan Content Checklist for SECCs should have no impact or lessen SECC burdens, and posting it on the FCC's website, and incorporating it as an appendix in the ARS user manual, are routine Bureau activities. The requirement to ensure State EAS Plans are updated annually already was contained in § 11.21, and thus does not represent a new burden.

The requirement that the State EAS Plan include a certification (which will be incorporated into the ARS) by the SECC Chairperson or Vice-Chairperson that the SECC met (in person, via teleconference, or via other methods of conducting virtual meetings) at least once in the twelve months prior to submitting the annual updated plan to review and update its State EAS Plan should promote added diligence in SECC administration of State EAS Plans. The Commission estimates the burden to SECC members in complying with this requirement to be two hours per member.

The rule amendment requiring the Bureau approve or reject State EAS Plans submitted for approval within 60 days of receipt does not impose new burdens on any entity. The Bureau already is charged with reviewing State EAS Plans. The internal requirement that the Bureau list the approval dates of State EAS Plans submitted on ARS on the Commission's website, and in the event a final decision is made to deny a plan, to directly notify the chief executive of the State to which the plan applies of that determination and the reasons for such denial within 30 days, does not impose new burdens on any entity. The Bureau already maintains a web page on the Commission's website dedicated to SECC and State EAS Plan information.

False EAS Alert Reporting (47 CFR 11.45)

The amendment enabling the FEMA Administrator and Tribal, State, local, and territorial governments to file reports of false EAS alerts provides another mechanism for the Commission to receive information concerning false EAS alerts and does not impose burdens on any entity. Should any permitted government entity voluntarily elect to file a false EAS alert report, the burden associated with this provision amounts to composing an email, which the Commission estimates will take an hour or less to prepare, and falls within the routine activities of government employees. False alert reports help the Commission to identify, investigate, correct and prevent false EAS activations, which enhances the EAS's efficacy and the public trust in the EAS.

List of Subjects in 47 CFR Part 11

Radio, Television.

Federal Communications Commission.

Marlene Dortch,

Secretary.

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 11 as follows:

PART 11—EMERGENCY ALERT SYSTEM (EAS)

■ 1. The authority citation for part 11 continues to read as follows:

Authority: 47 U.S.C. 151, 154 (i) and (o), 303(r), 544(g), 606, 1201, 1206.

§ 11.21 [Amended]

■ 2. Amend § 11.21 by removing paragraph (g).

§ 11.45 [Amended]

■ 3. Amend § 11.45 by removing paragraph (d).

[FR Doc. 2022–12076 Filed 6–3–22; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 220413–0094]

RIN 0648–BL28

Pacific Halibut Fisheries; Catch Sharing Plan

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary final rule.

SUMMARY: NMFS issues regulations to remove limits on the maximum amount of halibut individual fishing quota (IFQ) that may be harvested by a vessel, commonly known as vessel use caps, in IFQ regulatory Areas 4A (Eastern Aleutian Islands), 4B (Central and Western Aleutian Islands), 4C (Central Bering Sea), and 4D (Eastern Bering Sea). This action is needed to provide additional flexibility to IFQ participants in 2022 to ensure allocations of halibut IFQ can be harvested by the limited number of vessels operating in these areas. This action is within the authority of the Secretary of Commerce to establish additional regulations governing the taking of halibut that are in addition to, and not in conflict with, those adopted by the International Pacific Halibut Commission (IPHC). This action is intended to promote the goals and objectives of the IFQ Program, the Northern Pacific Halibut Act of 1982 (Halibut Act), and other applicable laws.

DATES: Effective June 6, 2022, through December 31, 2022.

ADDRESSES: Electronic copies of the Categorical Exclusion and the Regulatory Impact Review (herein referred to as the ''Analysis'') prepared for this action are available from *www.regulations.gov* or from the NMFS Alaska Region website at *https://www.fisheries.noaa.gov/region/alaska.*

FOR FURTHER INFORMATION CONTACT: Abby Jahn, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

This final rule implements regulations for the 2022 IFQ fishing year to temporarily remove vessel use caps in Areas 4A, 4B, 4C, and 4D and exclude harvest of IFQ halibut in 2022 from the calculation of vessel use caps in IFQ regulatory Areas 2C, 3A, or 3B. The existing vessel use caps were recommended by the North Pacific Fishery Management Council (Council) and implemented by NMFS as part of the IFQ Program (58 FR 59375; November 9, 1993) as regulations that were in addition to, and not in conflict with, those adopted by the IPHC, consistent with the Halibut Act (16 U.S.C. 773c(c)). The following sections describe the IFQ Program; halibut IFQ vessel use caps; the rationale for and effects from temporarily removing vessel use caps in Areas 4A, 4B, 4C, and 4D; and the regulations implemented under this final rule.

IFQ Program

Commercial halibut and sablefish fisheries in Alaska are subject to regulation under the IFQ Program and the CDQ Program (50 CFR part 679). A key objective of the IFQ Program is to support the social and economic character of the fisheries and the coastal fishing communities where many of these fisheries are based. For more information about the IFQ Program, please refer to Section 2.4 of the

Analysis. Because this rule is specific to the halibut IFQ fishery, reference to the IFQ Program in this preamble is specific to halibut unless otherwise noted.

Under the IFQ Program, access to the commercial halibut fisheries is limited to those persons holding quota share (QS). Halibut QS is designated for a specific geographic area of harvest, a specific vessel operation type (catcher vessel (CV) or catcher/processor), and for a specific range of vessel sizes that may be used to harvest the halibut (vessel category). Out of the four vessel categories of halibut QS, category A shares are designated for catcher/processors that process their catch at sea (*e.g.,* freezer longline vessels) and do not have a vessel length designation, whereas category B, category C, and category D shares are designated to be fished on CVs that meet specific length designations (§ 679.40(a)(5)).

NMFS annually issues IFQ permits to each QS holder. IFQ permits authorize permit holders to harvest a specified amount of a particular IFQ species in an area from a specific operation type and vessel category, consistent with the QS they hold. IFQ is expressed in pounds (lb) and is based on the amount of QS held by the permit holder in relation to the total QS pool for each area with an assigned catch.

The IFQ Program also established: (1) limits on the maximum amount of QS that a person could use (*i.e.,* be used to receive annual IFQ) (§ 679.42(f)); (2) limits on the number of small amounts of indivisible QS units, known as QS blocks, that a person can hold (§ 679.42(g)); (3) limits on the ability of IFQ assigned to one CV vessel category (vessel categories B, C, or D IFQ) to be fished on a different (larger) vessel category with some limited exceptions (§ 679.42(a)(2)); and (4) limits on the maximum amount of halibut IFQ that may be harvested by a vessel during an IFQ fishing year (§ 679.42(h)). Only qualified individuals and initial recipients of QS are eligible to hold CV QS, and they must be on board the vessel when the IFQ is being fished, with a few limited exceptions (§ 679.41(h)(2)). All of these limitations were established to retain the owner-operator nature of the CV halibut IFQ fisheries, limit consolidation of QS, and ensure the annual IFQ is not harvested on a small number of larger vessels.

Halibut IFQ Vessel Use Caps

The Council established vessel use caps under the IFQ Program to limit the maximum amount of halibut that could be harvested on any one vessel. The limits are intended to help ensure that a minimum number of vessels are engaged in the halibut IFQ fishery and to address concerns about the socio-economic impacts of consolidation under the IFQ Program. For additional detail on vessel use caps, see the preamble to the proposed rule for the IFQ Program (57 FR 57130; December 3, 1992).

This final rule refers to halibut catch limits, commercial halibut allocations, and vessel use caps in net pounds or net metric tons. Net pounds and net metric tons are defined as the weight of halibut from which the gills, entrails, head, ice, and slime have been removed. This terminology used in this final rule is consistent with the IPHC, which establishes catch limits and calculates mortality in net pounds.

For IFQ regulatory Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E, vessels cannot be used to harvest more halibut IFQ than one-half percent of the combined total catch limits of halibut (§ 679.42(h)(1)). Applying this regulation to 2022 yields a vessel use cap of 101,490 lb (46.0 mt). This vessel use cap applies to vessels harvesting IFQ halibut in the regulatory areas subject to this final rule: Areas 4A, 4B, 4C, and 4D.

A Community Quota Entity (CQE) is authorized to hold halibut QS in Area 4B on behalf of the community of Adak, Alaska (79 FR 8870; February 14, 2014). A CQE is a NMFS-approved non-profit organization that represents small, remote, coastal communities that meet specific criteria to purchase and hold CV halibut QS on behalf of an eligible community. The CQE holds QS and leases the IFQ derived from the underlying QS to community residents. Any vessel harvesting halibut IFQ that is derived from the QS and held by the CQE representing the community of Adak is subject to the vessel use cap regulations at § 679.42(h)(1)(ii), which limit a vessel to harvest no more than 50,000 lb (22.7 mt), in addition to those set forth at § 679.42(h)(1) introductory text and 679.42(h)(i).

Rationale and Effects of Temporarily Removing Vessel Use Caps in Areas 4A, 4B, 4C, and 4D

On February 10, 2022, at its regularly-scheduled meeting, the Council addressed requests from IFQ fishery stakeholders to remove vessel use caps applicable to the halibut IFQ fisheries in Areas 4A, 4B, 4C, and 4D (Sections 1 and 2.3 of the Analysis). The Council requested this rule because of the ongoing socio-economic impacts of the COVID–19 pandemic as identified by the public, including coastal communities and fishery participants in Area 4. NMFS proposes this rule to provide additional flexibility to vessels operating in Area 4 during the 2022 fishing season. This action is expected to facilitate the harvest of halibut allocated under the IFQ program in Area 4 and provide additional harvest flexibility to vessels operating in Area 4. This action is needed because of the relatively large proportion of vessels participating in Areas 4A, 4B, 4C, and 4D halibut IFQ fisheries that are operating near the current vessel use cap, thereby limiting the amount of additional IFQ that could be harvested on vessels operating in those areas (Section 2.3 of the Analysis). Additionally, this action is expected to provide flexibility to the CQE representing the community of Adak, Alaska, because the minimum number of vessels needed under current use caps exceeds the number of vessels owned by residents of the community (Section 2.5.2 of the Analysis).

The reader is referred to the Analysis, particularly Sections 2.3, 2.6, and 2.7, for additional detail on the efficacy of 2020 and 2021 rulemakings that temporarily removed vessel use caps in Area 4, a broader discussion of the range of factors considered for this final rule, and the anticipated effects of removing the vessel use caps in Areas 4A, 4B, 4C, and 4D for both CQE and non-CQE-associated vessels.

The Council recommended ''expedited action'' to remove vessel use caps for the halibut IFQ fishery in Areas 4A, 4B, 4C, and 4D to be made effective as soon as possible during the 2022 fishing year, which ends on December 7, 2022. NMFS accordingly established an expedited 15-day comment period for the proposed rule.

The Council did not recommend, and this final rule does not include, measures to remove the vessel use caps for the sablefish IFQ fishery, or for other halibut IFQ areas, due to the larger number of vessels that are currently active in the sablefish IFQ fishery and these other halibut areas. Area 4E was not included because it is entirely allocated to harvest under the CDQ Program; therefore, vessel use caps do not apply to Area 4E. Additionally, halibut harvests in Areas 2C, 3A, and 3B are unlikely to be constrained under the current vessel use caps (Section 2.5.2.1 of the Analysis).

NMFS also considered the potential impacts on halibut conservation and management if vessel use caps vessels in Areas 4A, 4B, 4C, and 4D are relieved for the 2022 IFQ fishing year. The regulatory amendments in this rule temporarily add a regulation to remove vessel use caps in Areas 4A, 4B, 4C, and 4D. This final rule provides additional

flexibility to facilitate harvest of the halibut resource and is responsive to the Council request to implement expedited rulemaking for the 2022 IFQ fishing year due to the ongoing economic, social, and public health impacts of the COVID–19 pandemic. This final rule does not modify the vessel use cap provisions in future years, consistent with the Council's goals in implementing vessel use caps in this fishery (Section 2.3 in the Analysis). This final rule does not modify other elements of the IFQ Program. This final rule does not increase or otherwise modify the 2022 halibut catch limits adopted by the IPHC and implemented by NMFS (87 FR 12604, March 7, 2022). This final rule does not modify any other conservation measures recommended by the IPHC and adopted by NMFS, nor any other conservation measures implemented by NMFS independent of the IPHC. This final rule does not modify other limitations on the use of QS and IFQ described in the previous sections of this preamble.

Final Regulations

After considering the best available information, the Convention, the status of the halibut resource, and the potential social and economic costs of maintaining the vessel use cap limits described in the preamble, this final rule adds a new, temporary provision at 50 CFR 679.42(h)(1)(iii) to remove vessel use caps for vessels harvesting IFQ halibut in Areas 4A, 4B, 4C, and 4D during the 2022 IFQ fishing year. Because vessel use caps are applied under existing regulations at the fishery level, including harvest in all areas, this final rule clarifies that harvest of IFQ halibut in regulatory Areas 4A, 4B, 4C, and 4D is excluded from the calculation of vessel use caps in IFQ regulatory Areas 2C, 3A, or 3B during the 2022 IFQ fishing year.

Changes From Proposed to Final Rule

NMFS did not make changes to the regulatory text in this final rule from the regulatory text in the proposed rule.

Comments and Responses

NMFS received three comment letters during the public comment period for the proposed rule (87 FR 23155, April 19, 2022). Below, NMFS summarizes and responds to three unique comments. Of the three comment letters received, one letter was from a non-profit corporation, one letter was from an individual, and one letter was from a fishery participant.

Comment 1: One commenter generally supported the action because it is beneficial to fishermen and it is aligned with the original purpose of the IFQ program, which promotes management objectives of the Halibut Act. Additionally, the commenter opined that this action would have a positive impact on fishery participant's ability to fully harvest their allocations.

Response: NMFS acknowledges the commenter's support for this action.

Comment 2: One commenter supported the action because it provides flexibility and benefits communities in Area 4, which continue to face economic, operational, and public health challenges due to the fishery-level impacts of the COVID–19 pandemic.

Response: NMFS acknowledges the commenter's support for this action.

Comment 3: One commenter opposed the action because of concerns with consolidation, who benefits from actions like this one, and barriers to entry into the IFQ Program. The commenter adds that, in their view, this action does not align with the original intent of the IFQ program to protect fishery participants from consolidation. They opine that NMFS should not allow a small number of QS holders to continue to benefit from the IFQ program. The commenter believes that if QS holders do not want to fish, then they should sell their quota shares. In their view, by removing vessel use caps, this action promotes consolidation, which increases the price of the QS and barriers to entry into the IFQ Program.

Response: The Council recommended implementing this action for the 2022 fishing year because of the ongoing socio-economic impacts of the COVID–19 pandemic identified by the public, including coastal communities and fishery participants in Area 4. NMFS carefully assessed the potential social and economic effects of this action. This final rule is temporary and therefore does not modify the vessel use cap provisions in future years. The Council and NMFS continue to strongly support the vessel use caps provision of the IFQ Program. These vessel use cap requirements are an essential component of the IFQ Program because they ensure harvesting opportunity is not consolidated into too few vessels (Section 2.3 of the Analysis).

When the Council developed the IFQ Program, one primary objective was to protect entry-level and part-time participants that may have otherwise been eliminated because of predicted consolidation trends. However, since implementation, the value of QS has increased and the number of vessels harvesting IFQ has decreased, resulting in some consolidation. Notably, however, this action is limited to modifying vessel use caps in 2022 only, as detailed in the preamble to this final rule, and does not modify any other provisions of the IFQ Program that are designed to prevent excessive consolidation and to facilitate entry. Those unmodified provisions include the QS use caps (§ 679.42 (f)) and the fish down provision (Amendment 42 to the BSAI GOA FMP).

Classification

Regulations governing the U.S. fisheries for Pacific halibut are developed by the IPHC, the Council, and the Secretary of Commerce. Section 5 of the Northern Pacific Halibut Act of 1982 (Halibut Act, 16 U.S.C. 773c) allows the Regional Council authority over a particular geographical area to develop regulations governing the allocation and catch of halibut in U.S. Convention waters as long as those regulations do not conflict with IPHC regulations. This final action is consistent with the Council's authority to allocate halibut catch among fishery participants in Convention waters in and off Alaska.

There is good cause under 5 U.S.C. 553(d)(3) to waive the 30-day delay in effective date. It is important that this final rule is implemented in a timely manner before fishing vessels reach their use caps. The IFQ halibut fishing season is already underway and began on March 6, 2022. A consequence of delayed effectiveness of this final rule would be that a vessel's fishing activity may be limited unnecessarily if a vessel reaches their use cap prior to the effective date of this rule. Additionally, an expedited implementation provides much needed flexibility. Any delay in the effective date of this final rule would be contrary to public interest. Therefore, there is good cause to advance this thoroughly considered action without delay.

This final rule has been determined to be not significant for purposes of Executive Order 12866.

A Regulatory Impact Review was prepared to assess costs and benefits of available regulatory alternatives. A copy of this analysis is available from NMFS (see **ADDRESSES**). Specific aspects of the economic analysis are discussed below in the Final Regulatory Flexibility Analysis (FRFA) section.

Small Entity Compliance Guide

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 states that, for each rule or group of related rules for which an agency is required to prepare a final regulatory flexibility analysis, the agency shall publish one or more guides to assist

small entities in complying with the rule and shall designate such publications as ''small entity compliance guides.'' Copies of the proposed rule, this final rule, and the small entity compliance guide are available on the Alaska Region's website at: *https://www.fisheries.noaa.gov/alaska/sustainable-fisheries/pacific-halibut-and-sablefish-individual-fishing-quota-ifq-program.*

Final Regulatory Flexibility Analysis

This FRFA incorporates the Initial Regulatory Flexibility Analysis (IRFA) and the analyses completed to support this action. Section 604 of the Regulatory Flexibility Act (RFA) requires that when an agency promulgates a final rule under section 553 of Title 5 of the U.S. Code, after being required by that section or any other law to publish a general notice of proposed rulemaking, the agency shall prepare a FRFA. Section 604 describes the required contents of a FRFA: (1) A statement of the need for and objectives of the rule; (2) a statement of the significant issues raised by the public comments in response to the IRFA, a statement of the assessment of the agency of such issues, and a statement of any changes made to the proposed rule as a result of such comments; (3) the response of the agency to any comments filed by the Chief Counsel for Advocacy of the Small Business Administration (SBA) in response to the proposed rule, and a detailed statement of any change made to the proposed rule in the final rule as a result of the comments; (4) a description of and an estimate of the number of small entities to which the rule will apply or an explanation of why no such estimate is available; (5) a description of the projected reporting, recordkeeping, and other compliance requirements of the rule, including an estimate of the classes of small entities that will be subject to the requirement and the type of professional skills necessary for preparation of the report or record; and (6) a description of the steps the agency has taken to minimize the significant economic impact on small entities consistent with the stated objectives of applicable statutes including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in this final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.

A description of this final rule and the need for and objectives of this rule are contained in the preamble to this final rule and the preamble to the proposed rule (87 FR 23155, April 19, 2022). That description is not repeated here.

Public and Chief Counsel for Advocacy Comments on the IRFA

NMFS published the proposed rule on April 19, 2022 (87 FR 23155). An IRFA was prepared and included in the Classification section of the preamble to the proposed rule. The comment period for the proposed rule closed on May 4, 2022. The Chief Counsel for Advocacy of the SBA did not file any comments on the proposed rule. NMFS received no comments specifically on the IRFA; therefore, no changes were made to this rule as a result of comments on the IRFA. However, one comment was received on the entities affected by this rule. For a summary of this comment and the agency's response, refer to the section above titled ''Comments and Responses''.

Number and Description of Small Entities Regulated by This Final Rule

This final rule directly regulates the owners and operators of vessels that are used to harvest halibut IFQ in IFQ Areas 4A, 4B, 4C, or 4D. As of 2020 (the most recent year of gross revenue data), there were 99 unique vessels that harvested halibut IFQ in IFQ Areas 4A, 4B, 4C, or 4D. Based on average annual gross revenue data, including affiliations, all but one of these vessels that landed halibut in 2020 are considered small entities based on the applicable $11 million threshold. Additional details are included in Sections 2.9 in the Analysis prepared for this rule (see **ADDRESSES**).

Recordkeeping, Reporting, and Other Compliance Requirements

This action does not contain additional recordkeeping, reporting, or other compliance requirements.

Description of Significant Alternatives That Minimize Adverse Impacts on Small Entities

The RFA requires identification of any significant alternatives to the final rule that accomplish the stated objectives of the final action, consistent with applicable statutes, and that would minimize any significant economic impact of the final rule on small entities. The Council requested one action alternative. No other alternatives were considered. Additionally, NMFS did not identify other action alternatives that would provide the same level of flexibility that was requested by the Council within the requested expedited timeframe. Further, this action is the same as the action implemented in 2021 and similar to the action implemented in 2020. In consideration of the Council's request, NMFS analyzed the impacts of the action alternative compared to the status quo.

The status quo alternative would retain the existing vessel use cap restrictions as defined under 50 CFR 679.42(h). It is possible that existing vessel use caps regulations under the status quo may increase the likelihood that some of the annual halibut allocation is left unharvested in Area 4.

This final rule implements the action alternative to remove limits on the maximum amount of halibut IFQ that may be harvested by a vessel in IFQ regulatory Areas 4A, 4B, 4C, and 4D. This action provides additional flexibility to IFQ participants in 2022 to ensure allocations of halibut IFQ can be harvested by the limited number of vessels operating in these Areas. However, this may result in a reduction in crew jobs and opportunities for new entrants in Areas 4A, 4B, 4C, and 4D. Additionally, if there are fewer participants in the fishery, it is possible that landings could consolidate to fewer processors and communities depending on landing location and historic harvester-processor relationships.

Collection-of-Information Requirements

This rule contains no information collection requirements under the Paperwork Reduction Act of 1995.

List of Subjects in 50 CFR Part 679

Alaska, Fisheries, Reporting and recordkeeping requirements.

Dated: June 1, 2022.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR part 679 is amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

■ 1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.;* 1801 *et seq.;* 3631 *et seq.;* Pub. L. 108–447; Pub. L. 111–281.

■ 2. In § 679.42, add paragraph (h)(1)(iii) to read as follows:

§ 679.42 Limitations on use of QS and IFQ.

* * * * *

(h) * * *

(1) * * *

(iii) Notwithstanding the vessel use caps specified in paragraphs (h)(1) introductory text and (h)(1)(ii) of this section, vessel use caps do not apply to vessels harvesting IFQ halibut in IFQ

regulatory Areas 4A, 4B, 4C, and 4D during the 2022 IFQ fishing year. Harvest of IFQ halibut in regulatory Areas 4A, 4B, 4C, and 4D is excluded from the calculation of vessel use caps for IFQ regulatory Areas 2C, 3A, or 3B during the 2022 IFQ fishing year.

* * * * *

[FR Doc. 2022–12079 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–22–P

Proposed Rules

Federal Register
Vol. 87, No. 108
Monday, June 6, 2022

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF ENERGY

10 CFR Part 431

[EERE–2022–BT–TP–0019]

RIN 1904–AF08

Energy Conservation Program: Test Procedure for Compressors; Extension of Comment Period

AGENCY: Office of Energy Efficiency and Renewable Energy, Department of Energy.

ACTION: Request for information; extension of public comment period.

SUMMARY: On May 6, 2022, the U.S. Department of Energy (''DOE'') published a request for information (''RFI'') regarding test procedures for compressors. The RFI provided an opportunity for submitting written comments, data, and information by June 6, 2022. DOE received a request from the Compressed Air and Gas Institute on May 23, 2022 requesting an extension of the public comment period for an additional 60 days. DOE has reviewed the request and is granting a 14-day extension of the public comment period to allow comments to be submitted until June 20, 2022.

DATES: The comment period for the RFI published on May 6, 2022 (87 FR 27025) is extended. DOE will accept comments, data, and information regarding the RFI received no later than June 20, 2022.

ADDRESSES: Interested persons are encouraged to submit comments using the Federal eRulemaking Portal at *www.regulations.gov,* under docket number EERE–2022–BT–TP–0019. Follow the instructions for submitting comments. Alternatively, interested persons may submit comments by email to *Compressors2022TP0019@ee.doe.gov.* Include docket number EERE–2022–BT–TP–0019 in the subject line of the message. No telefacsimiles (''faxes'') will be accepted.

Although DOE has routinely accepted public comment submissions through a variety of mechanisms, including postal mail and hand delivery/courier, the Department has found it necessary to make temporary modifications to the comment submission process in light of the ongoing coronavirus 2019 (''COVID–19'') pandemic. DOE is currently suspending receipt of public comments via postal mail and hand delivery/courier. If a commenter finds that this change poses an undue hardship, please contact Appliance Standards Program staff at (202) 586–1445 to discuss the need for alternative arrangements. Once the COVID–19 pandemic health emergency is resolved, DOE anticipates resuming all of its regular options for public comment submission, including postal mail and hand delivery/courier.

Docket: The docket for this activity, which includes **Federal Register** notices, comments, and other supporting documents/materials, is available for review at *www.regulations.gov.* All documents in the docket are listed in the *www.regulations.gov* index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

The docket web page can be found at: *www.regulations.gov/docket/EERE-2022-BT-TP-0019.* The docket web page contains instructions on how to access all documents, including public comments, in the docket.

FOR FURTHER INFORMATION CONTACT:

Mr. Jeremy Dommu, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Office, EE–5B, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–9870. Email: *ApplianceStandardsQuestions@ee.doe.gov.*

Ms. Celia Sher, U.S. Department of Energy, Office of the General Counsel, GC–33, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 287–6122. Email: *celia.sher@hq.doe.gov.*

For further information on how to submit a comment or review other public comments and the docket, contact the Appliance and Equipment Standards Program staff at (202) 287–1445 or by email: *ApplianceStandardsQuestions@ee.doe.gov.*

SUPPLEMENTARY INFORMATION: On May 6, 2022, DOE published an RFI initiating a review to consider whether to amend DOE's test procedure for compressors. In the RFI, DOE identified certain issues associated with the currently applicable test procedure on which DOE is interested in receiving comment. These issues include the scope of coverage, updated industry test procedures and the accuracy, representativeness and cost of existing test requirements. 87 FR 27025. The RFI set a comment period deadline of June 6, 2022.

The Compressed Air and Gas Institute (CAGI) requested a 60-day extension of the public comment period to help investigate the request and respond appropriately with considered comments. (CAGA, EERE–2022–BT–TP–0019, No. 3 at p. 1).

DOE has determined that an extension of the public comment period is appropriate to allow interested parties additional time to submit comments for DOE's consideration. Thus, DOE is extending the comment period by 14 days, until June 20, 2022.

Signing Authority

This document of the Department of Energy was signed on May 31, 2022, by Kelly J. Speakes-Backman, Principal Deputy Assistant Secretary for Energy Efficiency and Renewable Energy, pursuant to delegated authority from the Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the **Federal Register**.

Signed in Washington, DC, on June 1, 2022.

Treena V. Garrett,

Federal Register Liaison Officer, U.S. Department of Energy.

[FR Doc. 2022–12096 Filed 6–3–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2022–0515; Project Identifier AD–2022–00287–E]

RIN 2120–AA64

Airworthiness Directives; CFM International, S.A. Turbofan Engines

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain CFM International, S.A. (CFM) LEAP–1B model turbofan engines. This proposed AD was prompted by multiple commanded in-flight shutdowns (IFSDs) due to inner radial drive shaft (RDS) failure. This proposed AD would require initial and repetitive inspections of the transfer gearbox (TGB) scavenge screens and, depending on the results of the inspections, replacement or rework of the affected inner RDS. As a mandatory terminating action to the initial and repetitive inspections of the TGB scavenge screens, this proposed AD would require replacement or rework of the affected inner RDS. This proposed AD would also prohibit the installation of an engine with an affected inner RDS onto an airplane that already has one engine with an affected inner RDS installed. The FAA is proposing this AD to address the unsafe condition on these products.

DATES: The FAA must receive comments on this proposed AD by July 21, 2022.

ADDRESSES: You may send comments, using the procedures found in 14 CFR 11.43 and 11.45, by any of the following methods:

- *Federal eRulemaking Portal:* Go to *https://www.regulations.gov*. Follow the instructions for submitting comments.
- *Fax:* (202) 493–2251.
- *Mail:* U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE, Washington, DC 20590.
- *Hand Delivery:* Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this NPRM, contact CFM International, S.A., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; phone: (877) 432–3272; email: *fleetsupport@ge.com*. You may view this service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

Examining the AD Docket

You may examine the AD docket at *https://www.regulations.gov* by searching for and locating Docket No. FAA–2022–0515; or in person at Docket Operations between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this NPRM, any comments received, and other information. The street address for Docket Operations is listed above.

FOR FURTHER INFORMATION CONTACT: Mehdi Lamnyi, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7743; email: *Mehdi.Lamnyi@faa.gov*.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites you to send any written relevant data, views, or arguments about this proposal. Send your comments to an address listed under **ADDRESSES**. Include ''Docket No. FAA–2022–0515; Project Identifier AD–2022–00287–E'' at the beginning of your comments. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. The FAA will consider all comments received by the closing date and may amend this proposal because of those comments.

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in 14 CFR 11.35, the FAA will post all comments received, without change, to *https://www.regulations.gov,* including any personal information you provide. The agency will also post a report summarizing each substantive verbal contact received about this NPRM.

Confidential Business Information

CBI is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to this NPRM contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to this NPRM, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as ''PROPIN.'' The FAA will treat such marked submissions as confidential under the FOIA, and they will not be placed in the public docket of this NPRM. Submissions containing CBI should be sent to Mehdi Lamnyi, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803. Any commentary that the FAA receives which is not specifically designated as CBI will be placed in the public docket for this rulemaking.

Background

The FAA received reports of multiple IFSDs on CFM LEAP–1B21, LEAP–1B23, LEAP–1B25, LEAP–1B27, LEAP–1B28, LEAP–1B28B1, LEAP–1B28B2, LEAP–1B28B2C, LEAP–1B28B3, LEAP–1B28BBJ1, and LEAP–1B28BBJ2 (LEAP–1B) model turbofan engines beginning in August 2018. The manufacturer's investigations determined that some of these IFSD events were the result of inadequate oil flow to the RDS bearing, which caused the RDS bearing and RDS bearing cage to fail. The FAA issued AD 2019–12–01, Amendment 39–19656 (84 FR 28202, June 18, 2019), which required initial and repetitive inspections of the TGB scavenge screens and, depending on the results of the inspection, possible removal of the engine from service.

After the FAA issued AD 2019–12–01, further investigation by the manufacturer identified an additional contributing factor to the RDS bearing failures. The manufacturer revised the service information to include a repetitive TGB screen inspection until the RDS accumulates 1,500 flight hours (FHs) since new and borescope inspections of the RDS bearing at 1,500 FHs since new and 6,000 FHs since new. The FAA superseded AD 2019–12–01 by issuing AD 2020–06–01, Amendment 39–21103 (85 FR 14413, March 12, 2020), which requires revision to the airworthiness limitations section (ALS) of the applicable engine shop manual to incorporate the new inspections.

Since the FAA issued AD 2020–06–01, the FAA received further reports of commanded IFSDs due to inner RDS failure. The manufacturer initiated an investigation and identified a subpopulation of inner RDS susceptible to rivet fatigue failure occurring after the inspection thresholds required by the ALS revision in AD 2020–06–01. This condition, if not addressed, could result in failure of one or more engines, loss of thrust control, and loss of the airplane.

FAA's Determination

The FAA is issuing this NPRM after determining that the unsafe condition described previously is likely to exist or develop on other products of the same type design.

Related Service Information Under 1 CFR Part 51

The FAA reviewed CFM Service Bulletin (SB) LEAP–1B–72–00–0365–01A–930A–D, Issue 003–00, dated April 26, 2022 (CFM LEAP–1B–72–00–0365–01A–930A–D). This SB identifies the affected serial numbers of the inner RDS susceptible to rivet fatigue failure and specifies procedures for performing inspections of TGB1 and TGB2 scavenge screens. This SB also specifies procedures for accomplishing applicable corrective actions if metallic particles are found. The FAA also reviewed CFM SB LEAP–1B–72–00–0258–01A–930A–C, Issue 002, dated September 15, 2020. This SB specifies procedures for replacement or rework of the inner RDS. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in **ADDRESSES**.

Proposed AD Requirements in This NPRM

This proposed AD would require initial and repetitive inspections of the TGB1 and TGB2 scavenge screens and, depending on the results of the inspections, replacement or rework of the affected inner RDS. As a mandatory terminating action to the initial and repetitive inspections of the TGB1 and TGB2 scavenge screens, this proposed AD would require replacement or rework of the affected inner RDS. This proposed AD would also prohibit the installation of an engine with an affected inner RDS onto an airplane that already has one engine with an affected inner RDS installed.

Differences Between This Proposed AD and the Service Information

The Accomplishment Instructions, paragraph 5.A.(3), of CFM LEAP–1B–72–00–0365–01A–930A–D specifies removing the engine if certain conditions exist, whereas this proposed AD would require replacement or rework of the affected inner RDS if certain conditions exist.

Costs of Compliance

The FAA estimates that this AD, if adopted as proposed, would affect 34 engines installed on airplanes of U.S. registry.

The FAA estimates the following costs to comply with this proposed AD:

ESTIMATED COSTS

Action	Labor cost	Parts cost	Cost per product	Cost on U.S. operators
Inspect TGB1 and TGB 2 scavenge screens	1 work-hour × $85 per hour = $85	$0	$85	$2,890

For either replacement or rework of the inner RDS, depending on the option selected by the operator to comply with this AD, the FAA estimates the following costs:

Action	Labor cost	Parts cost	Cost per product
Replace inner RDS	600 work-hours × $85 per hour = $51,000	$60,000	$111,000
Rework inner RDS	600 work-hours × $85 per hour = $51,000	54,000	105,000

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII: Aviation Programs, describes in more detail the scope of the Agency's authority.

The FAA is issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701: General requirements. Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

The FAA determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify this proposed regulation:

(1) Is not a ''significant regulatory action'' under Executive Order 12866,

(2) Would not affect intrastate aviation in Alaska, and

(3) Would not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

CFM International, S.A.: Docket No. FAA–2022–0515; Project Identifier AD–2022–00287–E.

(a) Comments Due Date

The FAA must receive comments on this airworthiness directive (AD) by July 21, 2022.

(b) Affected ADs

None.

(c) Applicability

This AD applies to CFM International, S.A. (CFM) LEAP–1B21, LEAP–1B23, LEAP–1B25, LEAP–1B27, LEAP–1B28, LEAP–1B28B1, LEAP–1B28B2, LEAP–1B28B2C, LEAP–1B28B3, LEAP–1B28BBJ1, and LEAP–1B28BBJ2 model turbofan engines with an installed inner radial drive shaft (RDS) with a serial number listed in Additional Information, paragraph 6.A., Table 1, of CFM Service Bulletin (SB) LEAP–1B–72–00–0365–01A–930A–D, Issue 003–00, dated April 26, 2022 (CFM LEAP–1B–72–00–0365–01A–930A–D).

(d) Subject

Joint Aircraft System Component (JASC) Code 7260, Turbine Engine Accessory Drive.

(e) Unsafe Condition

This AD was prompted by multiple commanded in-flight shutdowns (IFSDs) due to inner RDS failure. The FAA is issuing this AD to prevent failure of the inner RDS and subsequent IFSDs. The unsafe condition, if not addressed, could result in failure of one or more engines, loss of thrust control, and loss of the airplane.

(f) Compliance

Comply with this AD within the compliance times specified, unless already done.

(g) Required Actions

(1) Before exceeding 50 flight hours (FHs) after the effective date of this AD, and thereafter at intervals not to exceed 50 FHs from the previous inspection, inspect the transfer gearbox (TGB) TGB1 and TGB2 scavenge screens in accordance with the Accomplishment Instructions, paragraph 5.A.(1), of CFM LEAP–1B–72–00–0365–01A–930A–D.

(2) If, during any inspection required by paragraph (g)(1) of this AD, any metallic particles are found, before further flight, perform the actions in the Accomplishment Instructions, paragraphs 5.A.(2) and (3), of CFM LEAP–1B–72–00–0365–01A–930A–D. Where paragraph 5.A.(3)(b) of CFM LEAP–1B–72–00–0365–01A–930A–D specifies to remove the engine, this AD instead requires replacement or rework of the inner RDS in accordance with the Accomplishment Instructions, paragraph 5.A., of CFM SB LEAP–1B–72–00–0258–01A–930A–C Issue 002, dated September 15, 2020 (CFM SB LEAP–1B–72–00–0258–01A–930A–C).

(h) Mandatory Terminating Action

As a mandatory terminating action to the initial and repetitive inspections of the TGB1 and TGB2 scavenge screens required by paragraph (g)(1) of this AD, at the next piece-part exposure after the effective date of this AD, replace or rework the inner RDS in accordance with the Accomplishment Instructions, paragraph 5.A., of CFM SB LEAP–1B–72–00–0258–01A–930A–C.

(i) Installation Prohibition

After the effective date of this AD, do not install an engine with an affected inner RDS onto an airplane that already has one engine with an affected inner RDS installed.

(j) Definitions

For the purpose of this AD, ''piece-part exposure'' is when the fan frame shroud is separated from the fan hub.

(k) Alternative Methods of Compliance (AMOCs)

(1) The Manager, ECO Branch, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. In accordance with 14 CFR 39.19, send your request to your principal inspector or local Flight Standards District Office, as appropriate. If sending information directly to the manager of the certification office, send it to the attention of the person identified in paragraph (l)(1) of this AD and email to: *ANE-AD-AMOC@faa.gov.*

(2) Before using any approved AMOC, notify your appropriate principal inspector, or lacking a principal inspector, the manager of the local flight standards district office/certificate holding district office.

(l) Related Information

(1) For more information about this AD, contact Mehdi Lamnyi, Aviation Safety Engineer, ECO Branch, FAA, 1200 District Avenue, Burlington, MA 01803; phone: (781) 238–7743; email: *Mehdi.Lamnyi@faa.gov.*

(2) For service information identified in this AD, contact CFM International, S.A., Aviation Operations Center, 1 Neumann Way, M/D Room 285, Cincinnati, OH 45125; phone: (877) 432–3272; email: *fleetsupport@ge.com.* You may view this referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 1200 District Avenue, Burlington, MA 01803. For information on the availability of this material at the FAA, call (817) 222–5110.

Issued on May 5, 2022.

Lance T. Gant,

Director, Compliance & Airworthiness Division, Aircraft Certification Service.

[FR Doc. 2022–11897 Filed 6–3–22; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–122770–18]

RIN 1545–BP00

Use of Actuarial Tables in Valuing Annuities, Interests for Life or a Term of Years, and Remainder or Reversionary Interests; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to a notice of proposed rulemaking.

SUMMARY: This document contains corrections to a notice of proposed rulemaking (REG–122770–18) that was published in the **Federal Register** on Thursday, May 5, 2022. The proposed rulemaking proposed regulations relating to the use of actuarial tables in valuing annuities, interests for life or a term of years, and remainder or reversionary interests.

DATES: Written or electronic comments and requests for a public hearing are still being accepted and must be received by July 5, 2022.

ADDRESSES: Commenters are strongly encouraged to submit public comments electronically. Submit electronic submissions via the Federal eRulemaking Portal at *www.regulations.gov* (indicate IRS and REG–122770–18) by following the online instructions for submitting comments. Once submitted to the Federal eRulemaking Portal, comments cannot be edited or withdrawn. The IRS expects to have limited personnel available to process public comments that are submitted on paper through mail. Until further notice, any comments submitted on paper will be considered to the extent practicable. The Department of the Treasury (Treasury Department) and the IRS will publish for public availability any comment submitted electronically, and to the extent practicable on paper, to its public docket. Send paper submissions to: CC:PA:LPD:PR (REG–122770–18), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044.

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, Mayer R. Samuels of the Office of Associate Chief Counsel (Passthroughs and Special Industries), (202) 317–6859; concerning the submission of comments or requests for a public hearing, Regina L. Johnson, (202) 317–5177, (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking that is the subject of this document is under section 7520 of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed rulemaking (REG–122770–18) contains errors that need to be corrected.

Correction of Publication

Accordingly, the notice of proposed rulemaking (REG–122770–18), which was the subject of FR Doc. 2022–02303,

published May 5, 2022, at 87 FR 26806, is corrected as follows:

1. On page 26809, in the first column, the third and fourth lines from the bottom of the partial paragraph of (b)(2), the language, ''in the in the'' is corrected to read ''in the''.

2. On page 26811, in the third column, the fifth line from the bottom of paragraph (e)(1), the language, ''in the in the'' is corrected to read ''in the''.

3. On page 26812, in the first column, the second line of paragraph (e)(3)(i), the language, ''l_x'' is corrected to read ''l_x''.

4. On page 26815, in the first column, the third line of paragraph (a)(1), the language, ''l_x'' is corrected to read ''l_x''.

Oluwafunmilayo A. Taylor,

Branch Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).

[FR Doc. 2022–12105 Filed 6–3–22; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Financial Crimes Enforcement Network

31 CFR Part 1010

RIN 1506–AB55

No-Action Letter Process

AGENCY: Financial Crimes Enforcement Network (FinCEN), Treasury.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: FinCEN is issuing this advance notice of proposed rulemaking (ANPRM) to solicit public comment on questions relating to the implementation of a no-action letter process at FinCEN. Given that the addition of a no-action letter process at FinCEN may affect or overlap with other forms of regulatory guidance and relief that FinCEN already offers, including administrative rulings and exceptive or exemptive relief, this ANPRM, among other things, seeks public input on whether a no-action letter process should be implemented and, if so, how the no-action letter process should interact with those other forms of relief.

DATES: Written comments on this ANPRM must be received on or before August 5, 2022.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal E-rulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments. Refer to Docket Number FINCEN–2022–0007 and RIN 1506–AB55.
- *Mail:* Financial Crimes Enforcement Network, Enforcement and Compliance Division, P.O. Box 39, Vienna, VA 22183. Refer to Docket Number FINCEN–2022–0007 and RIN 1506–AB55.

FOR FURTHER INFORMATION CONTACT: The FinCEN Regulatory Support Section at 1–800–767–2825 or electronically at *https://www.fincen.gov/contact.*

SUPPLEMENTARY INFORMATION:

I. Scope of ANPRM

This ANPRM seeks comment on the possibility of FinCEN establishing a no-action letter process. Section 6305(a) of the Anti-Money Laundering Act of 2020 (the AML Act) [1] requires the Director of FinCEN, in consultation with the Attorney General, the Federal functional regulators,[2] State bank supervisors, State credit union supervisors, and other Federal agencies, as appropriate (the ''Consulting Parties''), to conduct an assessment of whether to establish a process for FinCEN to issue no-action letters in response to inquiries concerning whether and how anti-money laundering or countering the financing of terrorism laws and regulations apply to specific conduct (the ''Assessment'').[3] Section 6305(b) of the AML Act requires the Secretary of the Treasury (the ''Secretary''), ''in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, the Secretary of Homeland Security, and the Federal functional regulators'' (the ''Coordinating Parties''), to submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report with findings and determinations from the Assessment (the ''Report''), as well as to propose rulemakings, if appropriate, to implement the findings and determinations.[4]

On June 28, 2021, FinCEN submitted the Report to Congress. The Report concluded that FinCEN should undertake a rulemaking to establish a no-action letter process to supplement the existing forms of regulatory guidance and relief that third parties may request from FinCEN.[5] Consistent with that conclusion, this ANPRM seeks initial public input on the need for a no-action letter process and potential procedures and rules regarding its implementation.

Because the adoption of a no-action letter process may affect existing forms of regulatory guidance and relief offered by FinCEN, this ANPRM also seeks public input on how a no-action letter process should interact with those mechanisms and whether the addition of a no-action letter process is appropriate.

II. Background

A. The Bank Secrecy Act

Enacted in 1970 and amended most recently by the AML Act, the Bank Secrecy Act (BSA) aids in the prevention of money laundering, terrorism financing, and other illicit financial activity.[6] One stated purpose of the BSA is to ''require certain reports or records that are highly useful in—(A) criminal, tax, or regulatory investigations, risk assessments, or proceedings; or (B) intelligence or counterintelligence activities, including analysis, to protect against terrorism.'' Another purpose of the BSA is to ''establish appropriate frameworks for information sharing'' among financial institutions and government authorities.[7]

Congress has authorized the Secretary to administer the BSA. The Secretary has delegated to the Director of FinCEN (the ''Director'') the authority to implement, administer, and enforce compliance with the BSA and associated regulations.[8] FinCEN is authorized to require financial institutions or nonfinancial trades or businesses to maintain procedures to ensure compliance with the BSA and

[1] The AML Act was enacted as Division F, sections 6001–6511, of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, Public Law 116–283 (2021).

[2] Section 6003(3) of the AML Act provides that the term ''Federal functional regulator'' (A) ''has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)'' and (B) ''includes any Federal regulator that examines a financial institution for compliance with the Bank Secrecy Act.'' Under the relevant provision of the Gramm-Leach-Bliley Act, the term ''Federal functional regulator'' refers to ''(A) the Board of Governors of the Federal Reserve System; (B) the Office of the Comptroller of the Currency; (C) the Board of Directors of the Federal Deposit Insurance Corporation; (D) the Director of the Office of Thrift Supervision; (E) the National Credit Union Administration Board; and (F) the Securities and Exchange Commission.'' 15 U.S.C. 6809(2).

[3] AML Act section 6305(a)(1).

[4] *Id.* section 6305(b).

[5] *See* FinCEN, *A Report to Congress: Assessment of No-Action Letters in Accordance with Section 6305 of the Anti-Money Laundering Act of 2020* (June 28, 2021), *https://www.fincen.gov/sites/default/files/shared/No-Action%20Letter%20Report%20to%20Congress%20per%20AMLA%20for%20ExecSec%20Clearance%20508.pdf.*

[6] Section 6003(1) of the AML Act defines the Bank Secrecy Act as comprising Section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b), Chapter 2 of Title I of Public Law 91–508 (12 U.S.C. 1951 *et seq.*), and Subchapter II of Chapter 53 of Title 31 of the United States Code.

[7] 31 U.S.C. 5311(1), (5).

[8] Treasury Order 180–01 (Jan. 14, 2020).

the regulations promulgated thereunder and also to guard against money laundering, the financing of terrorism, and other forms of illicit finance.[9]

B. Compliance and Enforcement Authority

FinCEN has overall authority for evaluating compliance with the BSA, including the coordination and direction of procedures and activities of all other agencies exercising delegated authority.[10] Generally, FinCEN has delegated its authority to examine covered financial institutions for BSA compliance to the appropriate Federal functional regulators.[11] In instances in which a covered institution does not have a Federal functional regulator (for example, money services businesses), examination authority is delegated to the IRS.[12] However, FinCEN can and does conduct its own risk-based examinations when appropriate.

FinCEN also has authority to enforce the BSA and its implementing regulations, including the imposition of civil money penalties on financial institutions, nonfinancial trades or businesses, and other persons that violate the BSA.[13] Generally, the authority to impose such penalties has not been delegated.[14] Certain enforcement authorities have been delegated to the IRS, including the authority to enforce BSA provisions regarding records and reports of foreign financial agency transactions and to investigate criminal violations of certain reporting requirements.[15] Appropriate law enforcement agencies, including the Department of Justice, may also investigate and/or prosecute criminal violations of the BSA.

In addition to the authority that FinCEN has delegated to the regulatory and supervisory agencies under the BSA, some agencies have their own independent authority to examine the institutions they supervise for BSA compliance and to take enforcement actions for noncompliance. For example, pursuant to 12 U.S.C. 1818(*i*) and 1786(k), and 31 U.S.C. 5321, the Federal banking agencies and FinCEN, respectively, can bring civil money penalty actions for violations of the BSA. Furthermore, some agencies may impose and enforce regulations regarding anti-money laundering or countering the financing of terrorism under their own separate authorities.[16]

C. Administrative Rulings, Exceptive or Exemptive Relief, and No-Action Letters

FinCEN currently provides the following forms of regulatory guidance or relief: (1) administrative rulings and (2) exceptive or exemptive relief. An administrative ruling is a written ruling that interprets the relationship between Chapter X of Title 31 of the Code of Federal Regulations (''Chapter X'')—which contains FinCEN's regulations implementing the BSA—and each situation for which such a ruling has been requested in conformity with specified requirements.[17] Under FinCEN's regulations, an administrative ruling binds FinCEN if it describes a specifically identified actual situation. In addition, it can have precedential value (meaning it ''may be relied upon by others similarly situated'') if FinCEN makes it available to the public through publication on FinCEN's website or another appropriate forum.[18] However, if FinCEN does not publish the administrative ruling, it may not be relied upon by others similarly situated.

FinCEN may also grant exceptive or exemptive relief—that is, an exception to or exemption from the BSA or the regulatory requirements of Chapter X.[19] These exceptions or exemptions may be conditional or unconditional, may apply to particular persons or classes of persons, and may apply to particular transactions or classes of transactions. But they are applicable only as expressly stated in the order of authorization, and they are revocable in the sole discretion of the Secretary.[20]

In contrast with these existing forms of relief, a ''no-action letter'' as used by other agencies is typically an exercise of enforcement discretion wherein the staff of an agency or the staff of a division of the agency issues a letter indicating its intention not to take or recommend enforcement action against the submitting party for the specific conduct presented in the submitting party's request.[21] Generally, such letters address only prospective activity not yet undertaken by the submitting party.

C. The AML Act and the No-Action Letter Report

Section 6305(a) of the AML Act requires the Director, in consultation with the Consulting Parties, to undertake an Assessment of whether FinCEN should establish a process for issuing no-action letters, in response to inquiries concerning the application of the Bank Secrecy Act, the USA PATRIOT Act (Pub. L. 107–56; 115 Stat. 272), section 8(s) of the Federal Deposit Insurance Act (12 U.S.C. 1818(s)), or any other anti-money laundering or countering the financing of terrorism law (including regulations) to specific conduct, including a request for a statement whether FinCEN or any relevant Federal functional regulator intends to take an enforcement action regarding such conduct against the person making the request.[22]

Pursuant to the AML Act, the Assessment included an analysis of:

> (A) a timeline for the process used to reach a final determination by FinCEN, in consultation with the relevant Federal functional regulators, in response to a request by a person for a no-action letter;
>
> (B) whether improvements in current processes are necessary; [and]
>
> (C) whether a formal no-action letter process would help to mitigate or accentuate illicit finance risks in the United States . . . .[23]

Additionally, FinCEN analyzed the potential impact of no-action letters on

[9] 31 U.S.C. 5318(a)(2).

[10] 31 CFR 1010.810(a).

[11] 31 CFR 1010.810(b).

[12] *Id; Memorandum of Understanding and Delegation of Authority to Examine Nonfinancial Trades and Businesses (April 21, 2015), available at https://www.irs.gov/irm/part4/irm_04-026-001, Ex. 4.26.1–3.*

[13] 31 U.S.C. 5321.

[14] *See* 31 CFR 1010.810(d). *But see* 31 CFR 1010.810(g) (regarding the delegation of authority by FinCEN to IRS to assess and collect civil monetary penalties for violations of 31 CFR 1010.350 and 1010.420).

[15] 31 CFR 1010.810(c)(2); 31 CFR 1010(g).

[16] *See, e.g.,* 17 CFR 240.17a–8.

[17] 31 CFR 1010.715.

[18] *Id.* Administrative rulings may be modified or rescinded under appropriate circumstances, which affects the extent to which they are binding and have precedential value. 31 CFR 1010.716.

[19] 31 U.S.C. 5318(a)(7); 31 CFR 1010.970.

[20] 31 CFR 1010.970(a).

[21] *Cf., e.g.,* 17 CFR 140.99 (describing a Commodity Futures Trading Commission no-action letter as ''a written statement issued by the staff of a Division of the Commission or of the Office of the General Counsel that it will not recommend enforcement action to the Commission for failure to comply with a specific provision of the Act or of a Commission rule, regulation or order if a proposed transaction is completed or a proposed activity is conducted by the Beneficiary,'' and also noting that a no-action letter ''represents the position only of the Division that issued it, or the Office of the General Counsel if issued thereby,'' ''binds only the issuing Division or the Office of the General Counsel, as applicable, and not the Commission or other Commission staff,'' and may be relied upon by ''[o]nly the Beneficiary''); 17 CFR 200.81(a) (describing a Securities and Exchange Commission no-action letter as a ''letter or other written communication . . . requesting a statement that, on the basis of the facts stated in such letter or other communication, the staff would not recommend that the Commission take any enforcement action . . . ''); 84 FR 48229, 48244 (Sept. 13, 2019) (describing a Consumer Financial Protection Bureau no-action letter as including a statement that ''the Bureau will not make supervisory findings or bring a supervisory or enforcement action against the recipient predicated on the recipient's offering or providing the described aspects of the product or service under (a) its authority to prevent unfair, deceptive, or abusive acts or practices; or (b) any other described statutory or regulatory authority within the Bureau's jurisdiction'').

[22] AML Act section 6305(a)(1).

[23] *Id.* section 6305(a)(2).

other regulators and law enforcement, including specifically considering the possible implementation of a cross-regulator no-action letter process—that is, a process in which a no-action letter is simultaneously sought from multiple regulators regarding the same entity.

Section 6305(b) of the AML Act also requires the Secretary, in coordination with the Coordinating Parties, to submit a Report to Congress presenting findings and determinations from the Assessment and to consider the appropriateness of a proposed rulemaking to implement those findings and determinations.

On June 28, 2021, FinCEN submitted the Report to Congress. FinCEN evaluated, among other things, the challenges associated with the overlap between FinCEN's enforcement authority and other regulators' authorities. In light of the existence of parallel and overlapping authorities, FinCEN concluded that, while a cross-regulator no-action letter process might have certain benefits, such a process involving multiple agencies and their respective authorities would present legal and practical challenges. FinCEN also analyzed the potential benefits and concerns regarding how a no-action letter process might impact illicit finance risks. This analysis included potential procedures or requirements to mitigate illicit finance risks.

FinCEN concluded in the Report that it should undertake a rulemaking in order to establish a no-action letter process to supplement the existing forms of regulatory guidance and relief that FinCEN already provides. The primary benefits of a no-action letter process identified in the Report include promoting a robust and productive dialogue with the public, spurring innovation among financial institutions, and enhancing the culture of compliance and transparency in the application and enforcement of the BSA. FinCEN also assessed that the rulemaking process should include consultation with other agencies as needed and appropriate, given the various areas where FinCEN's no-action letters may affect agencies with parallel or delegated authority.

Through this ANPRM, FinCEN seeks public input on whether to establish a no-action letter process, what the scope of and limits on no-action letters should be, and how best to implement the process. FinCEN further seeks comment on how such a process should interact with FinCEN's existing forms of regulatory guidance and relief.

III. Questions for Comment

FinCEN invites comments on all aspects of the implementation of a no-action letter process, as well as the ways in which such a process may interact with FinCEN's existing forms of regulatory guidance and relief. FinCEN also specifically seeks comments on the questions listed below. FinCEN encourages commenters to reference specific question numbers to facilitate FinCEN's review of the comments.

I. No-Action Letters [24]

Additional Considerations Relating to the Report

(1) FinCEN evaluated several issues in the Report on no-action letters, including, among other things, the viability of a cross-regulator no-action letter process, a timeline for considering and issuing no-action letters, and the extent to which no-action letters would mitigate or accentuate illicit finance risks. Are there additional considerations not identified in the Report that FinCEN should weigh in evaluating these issues?

(2) While FinCEN has no legal authority to prevent another agency, including a Federal functional regulator or the Department of Justice, from taking an enforcement action under the laws or regulations that it administers, are there additional points FinCEN should consider in assessing the viability of a cross-regulator no-action letter process? What is the value of establishing a FinCEN no-action letter process if other regulators with jurisdiction over the same entity do not issue a similar no-action letter?

(3) Would a no-action letter process involving only FinCEN be useful? Why or why not?

(4) Are there additional points FinCEN should consider regarding the timeline proposed in the Report?

(5) Are there additional points FinCEN should consider concerning the mitigation or accentuation of illicit finance risks beyond those identified in the Report?

(6) To what extent would an institution be able to rely upon a no-action letter from FinCEN if the institution is subject to oversight and examination for the same or similar matters by another agency?

(7) What impact would a FinCEN-only no-action letter process or a cross-regulator no-action process have on State, local, or Tribal regulators?

(8) Do existing laws and regulations permit the issuance of no-action letters, or are any additional rules or changes required to implement such a process? If so, what additional rules or changes would be appropriate?

Contours and Format of a FinCEN No-Action Letter Process

(9) Should FinCEN establish via regulation any limitations on which factual circumstances would be appropriate for a no-action letter? If yes, what should those limitations be?

(10) Should FinCEN limit the scope of no-action letters so that such requests may not be submitted during a BSA or BSA-related examination—including when the subject of the request is already a matter under examination, or when it becomes a matter under examination while the no-action letter process is ongoing?

(11) Would it be valuable for FinCEN provide to information from a no-action letter request to agencies with delegated examination authority under 31 CFR 1010.810 for the purpose of evaluating specific conduct addressed in a no-action letter request, including, among other things, to obtain information that may inform FinCEN's response to the request?

(12) In its regulation covering administrative rulings, FinCEN requires specific information to be included in the request for a ruling.[25] Should FinCEN require similar elements in no-action letter submissions? If so, which? What is the burden on the requester in gathering this information?

(13) Are there additional pieces of information not addressed in FinCEN's requirements for administrative rulings [26] that FinCEN should, or should not, request to be included in no-action letter submissions?

(14) In its regulation covering administrative rulings, FinCEN mandates specific procedural and filing requirements for the request.[27] Should FinCEN include similar requirements for no-action letter submissions? If so, which? What is the burden on the requester in complying with these potential requirements?

(15) Are there additional procedural or filing requirements not addressed in FinCEN's requirements for administrative rulings [28] that FinCEN

[24] Given the pending determination of whether the no-action letters contemplated in this ANPRM will be issued by FinCEN alone, or as cross-regulator letters, or both, the term ''no-action letter'' in the context of the questions posed in this ANRPM presumes any of these proposed combinations, unless otherwise specified.

[25] 31 CFR 1010.711(a).

[26] *Id.*

[27] 31 CFR 1010.711(b)–(d).

[28] *Id.*

should, or should not, require for no-action letter submissions?

(16) Understanding that typically FinCEN will rely on the facts and circumstances contained in the request, if FinCEN issues a no-action letter to a parent corporation, under what circumstances should the letter apply to some or all subsidiaries, or vice versa? Should the requester specify the entities in the corporate structure to which the no-action letter request applies?

(17) Should FinCEN limit consideration of no-action letter requests to written materials? For example, should FinCEN require that the content of any oral communication between FinCEN and the requester intended to inform FinCEN's response be submitted in writing to receive official consideration? What is the burden on the requester in complying with this potential requirement?

FinCEN Jurisdiction and No-Action Letters

It is possible that FinCEN may not be able to immediately or definitively establish whether FinCEN has jurisdiction (*i.e.,* regulatory authority) over the entity submitting a no-action letter request. This could be a result of, among other things, facts and circumstances relating to geographic location, the product or service involved, or the business model of the requesting entity.

(18) Should FinCEN determine that it has jurisdiction prior to the issuance of no-action letters?

(19) Should FinCEN issue no-action letters where the request is for a ruling on whether FinCEN has jurisdiction over the submitting party? Is this more appropriate for a FinCEN administrative ruling request?

(20) How should the no-action letter process apply to agents, third parties, domestic affiliates, and foreign affiliates that may be conducting anti-money laundering or BSA functions on behalf of a financial institution either inside or outside the United States?

Changed Circumstances

(21) Should a change in the overall business organization, such as when two entities merge or one entity acquires another, cause a no-action letter to lose its effect? If so, under what circumstances? If not, how would such a no-action letter continue to apply?

(22) Should there be any limitations on FinCEN's ability to change the positions reflected in prior no-action letters? If so, under what circumstances?

(23) What are the potential impacts on the submitting party if, after FinCEN's response, the relevant law or regulation changes?

Revocation

(24) Should FinCEN publicize standards governing the revocation of no-action letters, or should revocation be determined on a case-by-case basis?

(25) Under what circumstances should no-action letters be automatically revoked? (Triggering events could include, for example, changes to law or regulation, provision of false or incomplete information, failure to provide requested additional information, or violation of potential specified procedural requirements.)

(26) Should no-action letters have expiration dates? If so, under what circumstances would an expiration date be appropriate?

(27) If a no-action letter is revoked, how should FinCEN handle conduct that occurred while the no-action letter was active? In particular, would a rescission result in potential enforcement actions only for conduct after the rescission date, or would an entity also potentially be subject to liability for conduct that occurred while the now-revoked letter was active? Would the answer depend on the basis for the revocation?

(28) What other rules should govern the revocation of no-action letters?

No-Action Letter Denials and Withdrawals

(29) Should FinCEN create an appeals or reconsideration process for no-action letter denials? What factors and procedures should this process involve?

(30) Should FinCEN publish denials on its website? If so, what level of detail and type of information should be included? For example, should denials be anonymized?

(31) Should FinCEN allow submitting entities to withdraw their requests for no-action letters? If so, under what circumstances and at what point in the process should withdrawals be allowed? What should the process be for withdrawing a request for a no-action letter?

Confidentiality

(32) Should the no-action letter process be confidential during FinCEN's adjudication of a request?

(33) Should FinCEN maintain the confidentiality of no-action letters for a period of time, or indefinitely, after granting them? Under what circumstances should FinCEN maintain confidentiality?

(34) Should no-action letters be used as published precedents? If so, under what circumstances and conditions should they be precedential? Should no-action letters be applicable beyond the requesting institutions, and under what circumstances and conditions?

(35) How should FinCEN notify State, local, or Tribal regulators of confidential requests for cross-regulator no-action letters or, if appropriate, confidentially issued cross-regulator no-action letters?

(36) How should FinCEN notify Federal, State, local, or Tribal regulators of confidential requests for FinCEN-only no-action letters or, if appropriate, confidentially issued FinCEN-only no-action letters?

(37) If no-action letters and their underlying requests are made public, how should FinCEN handle content that is confidential or sensitive, such as triggering mechanisms for suspicious activity report (SAR) reviews?

Consultation

(38) What procedures should be put in place for FinCEN to consult with other relevant regulators or law enforcement agencies regarding no-action letter requests?

(39) How can FinCEN best balance the need to consult other regulators or law enforcement with the desires of submitting parties for confidentiality and expediency?

(40) Should FinCEN require a submitting party that is seeking a no-action letter to identify all of its regulators? Should FinCEN require that institution to identify all of the regulators of its parent or subsidiary corporations?

(41) Under what circumstances *other than consultation* should information FinCEN obtains through the no-action letter process be shared with other Federal, State, local, and Tribal agencies, including the U.S. Department of Justice?

Other Questions

(42) What burdens are requesting institutions expected to face in connection with the implementation of a no-action letter process? Please identify any burdens with specificity, such time spent or salary costs, and estimate the dollar costs of these burdens if possible. How could FinCEN address any such burdens on regulated parties?

(43) What topics, issues, transaction types, customer types, geographies, products, services, or other matters would be expected to be the subject of no-action letter requests to FinCEN?

(44) Are there any other comments FinCEN should consider in crafting rules to implement a no-action letter process?

II. The Proposed No-Action Letter and Existing Processes

FinCEN currently provides the following forms of regulatory guidance or relief: (1) administrative rulings and (2) exceptive or exemptive relief, as described in Section II.B above. FinCEN is seeking comment on how the potential no-action letter process may complement existing processes.

(45) What criteria should distinguish a no-action letter request from an administrative ruling, or from exceptive or exemptive relief?

(46) What value or benefit does a no-action letter bring that is distinct from an administrative ruling, or from exceptive or exemptive relief?

(47) Are there improvements that could be made to FinCEN's existing processes for issuing administrative rulings or exceptive or exemptive relief?

(48) What sort of guidance would be helpful from FinCEN concerning administrative rulings or exceptive or exemptive relief?

IV. Regulatory Planning and Review

This ANPRM is not a significant regulatory action under Executive Order 12866. It has been reviewed by the Office of Management and Budget.

V. Conclusion

With this ANPRM, FinCEN requests input on whether FinCEN should implement a no-action letter process and, if so, how such a process should interact with existing forms of regulatory guidance and relief. FinCEN seeks input from the public on the questions set forth above, including from regulated parties; State, local, and Tribal governments; law enforcement; regulators; and any other interested parties.

By the Department of the Treasury.

Himamauli Das,

Acting Director, Financial Crimes Enforcement Network.

[FR Doc. 2022–12048 Filed 6–3–22; 8:45 am]

BILLING CODE 4810–02–P

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 100

[Docket No. FWS–R7–SM–2018–0013; FF07J00000 FXFR13350700640 223]

RIN 1018–BC96

Subsistence Management Regulations for Public Lands in Alaska—Applicability and Scope; Tongass National Forest Submerged Lands; Correction

AGENCY: Forest Service, Agriculture; Fish and Wildlife Service, Interior.

ACTION: Proposed rule; correction.

SUMMARY: On May 12, 2022, we published a proposed rule on regulatory proceedings pertaining to submerged lands in the Tongass National Forest. The proposed rule contained incorrect dates in the preamble. This document corrects those dates.

DATES: The proposed rule incorrectly stated that Federal Subsistence Board public meetings to discuss and evaluate the proposed regulatory changes would take place April 12 through 15, 2022. With this document, we correct the meeting dates. The correct dates are January 31 through February 2, 2023.

ADDRESSES: The proposed rule is in Docket No. FWS–R7–SM–2018–0013 on *https://www.regulations.gov.*

FOR FURTHER INFORMATION CONTACT: Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Sue Detwiler, Office of Subsistence Management; (907) 786–3888 or *subsistence@fws.gov.* For questions specific to National Forest System lands, contact Gregory Risdahl, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region; (907) 302–7354 or *gregory.risdahl@usda.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Correction

In the proposed rule document FR Doc. 2022–10053 (87 FR 29061, May 12, 2022), on page 29061, second column, under **DATES**, correct the first sentence to read as follows: *Public meeting:* The Federal Subsistence Board will discuss and evaluate proposed regulatory changes during public meetings in Anchorage, AK, on January 31 through February 2, 2023.

On page 29062, second column, under Public Review Process—Comments and Public Meetings, correct the first sentence of the second paragraph to read as follows: The Board will discuss and evaluate submitted comments and public testimony on this proposed rule during public meetings scheduled for January 31 through February 2, 2023, in Anchorage, Alaska.

Gregory Risdahl,

Subsistence Program Leader, USDA–Forest Service.

Madonna Baucum,

Regulations and Policy Chief, Division of Policy, Economics, Risk Management, and Analytics, Joint Administrative Operations, U.S. Fish and Wildlife Service.

[FR Doc. 2022–11781 Filed 6–3–22; 8:45 am]

BILLING CODE 4333–15–P; 3410–11–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

[Docket No. FWS–R6–ES–2022–0028; FF09E21000 FXES1111090FEDR 223]

Endangered and Threatened Wildlife and Plants; 90-Day Finding for Three Petitions To List the Yellowstone Bison

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notification of petition findings and initiation of status reviews.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce a 90-day finding on three petitions to add a distinct population segment of the Plains bison *(Bison bison bison)* in and around Yellowstone National Park (Yellowstone bison) to the List of Endangered and Threatened Wildlife under the Endangered Species Act of 1973, as amended (Act). Based on our review, we find that the petitions present substantial scientific or commercial information indicating that the petitioned actions may be warranted. Therefore, with the publication of this document, we announce that we plan to initiate a

status review to determine whether the petitioned actions are warranted. To ensure that the status review is comprehensive, we are requesting scientific and commercial data and other information regarding the Yellowstone bison and factors that may affect its status. Based on the status review, we will issue a 12-month petition finding, which will address whether or not the petitioned action is warranted, in accordance with the Act.

DATES: The findings announced in this document were made on June 6, 2022. As we commence our status review, we seek any new information concerning the status of, or threats to, the Yellowstone bison, or its habitats. Any information we receive during the course of our status review will be considered.

ADDRESSES:

Supporting documents: A summary of the basis for the petition findings contained in this document is available on *https://www.regulations.gov* in Docket No. FWS–R6–ES–2022–0028. In addition, this supporting information is available by contacting the person specified in **FOR FURTHER INFORMATION CONTACT**.

Status reviews: If you have scientific or commercial data or other information concerning the status of, or threats to, the Yellowstone bison, please provide those data or information by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *https://www.regulations.gov.* In the Search box, enter FWS–R6–ES–2022–0028, which is the docket number for this action. Then, click on the ''Search'' button. After finding the correct document, you may submit information by clicking on ''Comment.'' If your information will fit in the provided comment box, please use this feature of *https://www.regulations.gov,* as it is most compatible with our information review procedures. If you attach your information as a separate document, our preferred file format is Microsoft Word. If you attach multiple comments (such as form letters), our preferred format is a spreadsheet in Microsoft Excel.

(2) *By hard* copy: Submit by U.S. mail to: Public Comments Processing, Attn: FWS–R6–ES–2022–0028, U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send information only by the methods described above. We will post all information we receive on *https://www.regulations.gov.* This generally means that we will post any personal information you provide us.

FOR FURTHER INFORMATION CONTACT: Tyler Abbott, Field Supervisor, Wyoming Ecological Services Field Office, 307–757–3707, *tyler_abbott@fws.gov.* Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

Section 4 of the Act (16 U.S.C. 1533) and its implementing regulations in title 50 of the Code of Federal Regulations (50 CFR part 424) set forth the procedures for adding species to, removing species from, or reclassifying species on the Federal Lists of Endangered and Threatened Wildlife and Plants (Lists) in 50 CFR part 17. Section 4(b)(3)(A) of the Act requires that we make a finding on whether a petition to add a species to the Lists (*i.e.,* ''list'' a species), remove a species from the Lists (*i.e.,* ''delist'' a species), or change a listed species' status from endangered to threatened or from threatened to endangered (*i.e.,* ''reclassify'' a species) presents substantial scientific or commercial information indicating that the petitioned action may be warranted. To the maximum extent practicable, we are to make this finding within 90 days of our receipt of the petition and publish the finding promptly in the **Federal Register**.

Our regulations establish that substantial scientific or commercial information with regard to a 90-day petition finding refers to credible scientific or commercial information in support of the petition's claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted (50 CFR 424.14(h)(1)(i)).

A species may be determined to be an endangered species or a threatened species because of one or more of the five factors described in section 4(a)(1) of the Act (16 U.S.C. 1533(a)(1)). The five factors are:

(a) The present or threatened destruction, modification, or curtailment of its habitat or range (Factor A);

(b) Overutilization for commercial, recreational, scientific, or educational purposes (Factor B);

(c) Disease or predation (Factor C);

(d) The inadequacy of existing regulatory mechanisms (Factor D); and

(e) Other natural or manmade factors affecting its continued existence (Factor E).

These factors represent broad categories of natural or human-caused actions or conditions that could have an effect on a species' continued existence. In evaluating these actions and conditions, we look for those that may have a negative effect on individuals of the species, as well as other actions or conditions that may ameliorate any negative effects or may have positive effects.

We use the term ''threat'' to refer in general to actions or conditions that are known to, or are reasonably likely to, affect individuals of a species negatively. The term ''threat'' includes actions or conditions that have a direct impact on individuals (direct impacts), as well as those that affect individuals through alteration of their habitat or required resources (stressors). The term ''threat'' may encompass—either together or separately—the source of the action or condition, or the action or condition itself. However, the mere identification of any threat(s) may not be sufficient to compel a finding that the information in the petition is substantial information indicating that the petitioned action may be warranted. The information presented in the petition must include evidence sufficient to suggest that these threats may be affecting the species to the point that the species may meet the definition of an endangered species or threatened species under the Act.

If we find that a petition presents such information, our subsequent status review will evaluate all identified threats by considering the individual-, population-, and species-level effects and the expected response by the species. We will evaluate individual threats and their expected effects on the species, then analyze the cumulative effect of the threats on the species as a whole. We also consider the cumulative effect of the threats in light of those actions and conditions that are expected to have positive effects on the species—such as any existing regulatory mechanisms or conservation efforts that may ameliorate threats. It is only after conducting this cumulative analysis of threats and the actions that may ameliorate them, and the expected effect on the species now and in the foreseeable future, that we can determine whether the species meets the definition of an endangered species or threatened species under the Act. If we find that a petition presents substantial scientific or commercial

information indicating that the petitioned action may be warranted, the Act requires that we promptly commence a review of the status of the species, and we will subsequently complete a status review in accordance with our prioritization methodology for 12-month findings (81 FR 49248, July 27, 2016).

Summary of Petition Findings

Evaluation of Three Petitions To List the Yellowstone Bison

All three petitions request listing of a distinct population segment (DPS) for the Yellowstone bison. Bison *(Bison bison)* is a recognized species by the Integrated Taxonomic Information System. The division of bison into two subspecies (Plains bison [*Bison bison bison*] and wood bison [*Bison bison athabascae*]) has been the subject of debate among experts; however, we recognize Plains bison as a valid subspecies, following the American Society of Mammalogists and the American Bison Specialist Group of the International Union for Conservation of Nature.

Species and Range: Plains bison in and around Yellowstone National Park (YNP).

Historical range: approximately 7,720 square miles (mi^2; 20,000 square kilometers [km^2]) in and around YNP.

Current range: approximately 1,226 mi^2 (3,175 km^2) in and around YNP.

All three petitions identify Yellowstone bison as a potential DPS of the Plains bison. Two of the three petitions identify two breeding herds of Yellowstone bison as separate potential DPSs.

Petition History

On November 14, 2014, we received a petition (dated November 13, 2014) from Western Watersheds Project and Buffalo Field Campaign, requesting that Plains bison in and around YNP (Yellowstone bison) be listed as threatened or endangered under the Act (first petition). The first petition clearly identified itself as a petition, and the petitioner included the identification information required by 50 CFR 424.14(c). On March 2, 2015, we received a petition from James Horsley, who also requested that Yellowstone bison be listed as threatened or endangered under the Act (second petition). We published a single finding for both petitions, concluding that the petitions did not provide substantial scientific or commercial information indicating that the petitioned action may be warranted (81 FR 1368, January 12, 2016). On September 26, 2016, petitioners from the first petition as well as a third party (Friends of Animals) brought suit under the Act and the Administrative Procedure Act (APA; 5 U.S.C. 551 *et seq.*) asserting that our determination was arbitrary and capricious. On January 31, 2018, the United States District Court for the District of Columbia (Court) remanded the finding to the Service to conduct a new 90-day finding.

On March 16, 2018, we received a new petition (dated February 28, 2018) from James Horsley; this third petition requested emergency listing for Yellowstone bison. The third petition clearly identified itself as a petition, and the petitioner included the identification information required by 50 CFR 424.14(c). The Act does not provide for petitions to emergency list; therefore, listing a species on an emergency basis is not a petitionable action under the Act. The question of when to list on an emergency basis is left to the discretion of the Service. If the Service determines that the standard for emergency listing in section 4(b)(7) of the Act is met, the Service may exercise that discretion to take an emergency listing action at any time. Consequently, we considered the third petition as a petition to list Yellowstone bison.

We published a single finding for the three petitions (the first and second petitions from the 90-day finding remanded on January 31, 2018, and the third petition received March 16, 2018), concluding that the petitions did not provide substantial scientific or commercial information indicating that the petitioned action may be warranted (84 FR 46927, September 6, 2019). On March 23, 2020, petitioners from the first petition as well as a third party (Friends of Animals) brought suit under the Act and the APA asserting that our determination was arbitrary and capricious. On January 12, 2022, the Court again remanded the finding for the Service to conduct a new 90-day finding.

This finding addresses the three petitions from the 90-day finding remanded on January 12, 2022.

Evaluation of Information Summary and Finding

We reviewed the petitions, sources cited in the petitions, and other readily available information. We considered the factors under section 4(a)(1) of the Act and assessed the effect that the threats identified within the factors—as may be ameliorated or exacerbated by any existing regulatory mechanisms or conservation efforts—may have on the species now and in the foreseeable future. Based on our review of the petitions and readily available information regarding range curtailment, we find that the petitioners present credible and substantial information that range curtailment (Factor A) may be a potential threat to the Yellowstone bison. The petitioners also provide credible information that management actions taken under the Interagency Bison Management Plan may curtail the species' available winter habitat through culling, hunting, hazing, and quarantine (Factor D). Therefore, we find that the petitions present substantial information indicating that one or more of the petitioned entities may warrant listing. The petitioners also presented information suggesting that overutilization (Factor B), disease (Factor C), and loss of genetic diversity due to culling (Factor E) may be threats to the Yellowstone bison. We will fully evaluate these and all other potential threats, as well as the validity of each DPS, in detail based on the best scientific and commercial data available when we conduct the status assessment and make the 12-month finding.

The basis for our finding on these petitions, and other information regarding our review of the petitions, can be found as an appendix at *https://www.regulations.gov* under Docket No. FWS–R6–ES–2022–0028 under the Supporting Documents section.

Conclusion

On the basis of our evaluation of the information presented in the petitions under sections 4(b)(3)(A) and 4(b)(3)(D)(i) of the Act, we have determined that the petitions summarized above for the Yellowstone bison present substantial scientific or commercial information indicating that the petitioned actions may be warranted. We are, therefore, initiating a status review of the species to determine whether the actions are warranted under the Act. At the conclusion of the status review, we will issue a finding, in accordance with section 4(b)(3)(B) of the Act, as to whether the petitioned actions are not warranted, warranted, or warranted but precluded by pending proposals to determine whether any species is an endangered species or a threatened species.

Authors

The primary authors of this document are staff members of the Ecological Services Program, U.S. Fish and Wildlife Service.

Authority

The authority for these actions is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Martha Williams,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2022–12054 Filed 6–3–22; 8:45 am]

BILLING CODE 4333–15–P

Notices

Federal Register
Vol. 87, No. 108
Monday, June 6, 2022

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[Doc. No. AMS–NOP–22–0030]

National Organic Standards Board: Call for Nominations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice: call for nominations.

SUMMARY: The National Organic Standards Board was established to assist in the development of standards for substances to be used in organic production and to advise the Secretary on the implementation of the Organic Foods Production Act of 1990. Through this Notice, the Agricultural Marketing Service (AMS) is announcing its call for nominations to fill one vacancy. A description of the position is listed below under **SUPPLEMENTARY INFORMATION**. Appointees will serve a five-year term beginning 2023 and ending 2028. Additionally, AMS seeks nominations for a pool of candidates that the Secretary of Agriculture can draw upon as replacement appointees if unexpected vacancies occur.

DATES: Written nominations must be received by mail or postmarked on or before August 5, 2022.

ADDRESSES: Applications can be sent via email to Michelle Arsenault at *Michelle.Arsenault@usda.gov,* or mailed to USDA–AMS–NOP, 1400 Independence Avenue SW, Room 2642–S, Ag Stop 0268, Washington, DC 20250–0268. Electronic submittals are preferred.

FOR FURTHER INFORMATION CONTACT: Michelle Arsenault, Advisory Committee Specialist, National Organic Standards Board, USDA–AMS–NOP, 1400 Independence Avenue SW, Room 2642–S, STOP 0268, Washington, DC 20250–0268; Phone: (202) 997–0115; Email: *Michelle.Arsenault@usda.gov.*

SUPPLEMENTARY INFORMATION: The Organic Foods Production Act of 1990 (OFPA), as amended (7 U.S.C. 6501–6524), requires the Secretary of Agriculture (Secretary) to establish the National Organic Standards Board (NOSB) in accordance with the Federal Advisory Committee Act, as amended. The NOSB is composed of 15 members: four individuals who own or operate an organic farming operation, or employees of such individuals; two individuals who own or operate an organic handling operation, or employees of such individuals; one individual who owns or operates a retail establishment with significant trade in organic products, or employees of such individuals; three individuals with expertise in areas of environmental protection and resource conservation; three individuals who represent public interest or consumer interest groups; one individual with expertise in the fields of toxicology, ecology, or biochemistry; and one individual who is a certifying agent.

Through this Notice, AMS seeks to fill the following one position: one individual with expertise in areas of environmental protection and resource conservation. Per the OFPA, individuals seeking appointment to the NOSB must meet the definition of the position that they seek as identified under 7 U.S.C. 6518, as well as satisfy the selection criteria for an NOSB member. Selection criteria include the following: an understanding of organic principles and practical experience in the organic community; demonstrated experience and interest in organic production and organic certification; demonstrated experience with respect to agricultural products produced and handled on certified organic farms; a commitment to the integrity of the organic food and fiber industry; demonstrated experience in the development of public policy such as participation on public or private advisory boards, boards of directors, or other comparable organizations; support of consumer and public interest organizations; participation in standards development or involvement in educational outreach activities; the ability to evaluate technical information and to fully participate in NOSB deliberation and recommendations; the willingness to commit the time and energy necessary to assume NOSB duties; and other such factors as may be appropriate for specific positions. More information can be found on the NOSB web page: *https://www.ams.usda.gov/rules-regulations/organic/nosb/nomination-process.*

The appointee will serve a five-year term beginning in 2023.

To nominate yourself or someone else, please submit the following: a resume (required); Form AD–755 (required), which can be accessed at: *https://www.usda.gov/sites/default/files/documents/ad-755.pdf;* a cover letter (optional); and letters of recommendation (optional). Resumes should be no longer than five (5) pages and should include the following information: the position for which you are applying; current and past organization affiliations; areas of expertise; education; career positions held; and any other notable positions held. Previous applicants who wish to be considered must reapply.

If AMS receives a request under the Freedom of Information Act (5 U.S.C. 552) for records relating to NOSB nominations, application materials may be released to the requester. Prior to the release of the information, personally identifiable information protected by the Privacy Act (5 U.S.C. 552) will be redacted.

AMS encourages submissions from qualified applicants, regardless of race, color, age, sex, sexual orientation, gender identity, national origin, religion, disability status, protected veteran status, or any other characteristic protected by law. AMS encourages submissions from traditionally underrepresented individuals, organizations, and businesses to reflect the diversity of this industry.

AMS policy is that diversity of the boards should reflect the diversity of its industries in terms of the experience of members, methods of production and distribution, marketing strategies, and other distinguishing factors, including but not limited individuals from historically underserved communities, that will bring different perspectives and ideas to the table. AMS plans to conduct extensive outreach, paying particular attention to reaching underserved communities, and plans to consider the diversity of the population served and the knowledge, skills, and abilities of the members to serve a diverse population.

The information collection requirements concerning the nomination process have been previously cleared by the Office of Management and Budget (OMB) under OMB Control No. 0505–0001.

Persons with disabilities who require alternative means of communication for program information (*e.g.,* Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720–2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877–8339. Additionally, program information may be made available in languages other than English.

Equal opportunity practices in accordance with USDA's policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken in account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent minorities, women and person with disabilities. USDA is an equal opportunity provider, employer, and lender.

Dated: June 1, 2022.

Cikena Reid,

USDA Committee Management Officer.

[FR Doc. 2022–12059 Filed 6–3–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by July 6, 2022 will be considered. Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

Title: Quality Control Review Schedule (FNS 380) Control *(Associated with Interim Final Rule E64).*

OMB Control Number: 0584–0074.

Summary of Collection: Section 16 of the Food and Nutrition Act of 2008 provides the legislative basis for the operation of the Quality Control (QC) system. Part 275, Subpart C, of SNAP regulations implements the legislative mandates found in Section 16. Regulations at 7 CFR 275.1, 275.14(d) and 275.21(a) and (b)(1) provide the regulatory basis for the QC reporting requirements. Section 11(a) of the Food and Nutrition Act of 2008 provides the legislative basis for the recordkeeping requirements. SNAP regulations, at 7 CFR 272.1(f), specify that program records must be retained for three years from the month of origin. Regulations at 7 CFR 275.4 specifically address record retention requirements for form FNS–380.

State agencies are required to perform Quality Control (QC) reviews for the Supplemental Nutrition Assistance Program (SNAP). In order to determine the accuracy of SNAP benefits authorized by State agencies, a statistical sample of SNAP cases is selected for review from each State agency. Relevant information from the case record, investigative work and documentation about individual cases is recorded on the form FNS–380, Worksheet for SNAP Quality Control Reviews.

The purpose is for State agencies to analyze each household case record including planning and carrying out the field investigation; gathering, comparing, analyzing and evaluating the review of data and forwarding selected cases to the Food and Nutrition Service for Federal validation, for the entire caseload.

Need and Use of the Information: Form FNS–380, is a SNAP worksheet used to determine eligibility and benefits for households selected for review in the quality control sample of active cases and to ensure program integrity. FNS will produce a report of our findings.

Description of Respondents: 53 State, Local, or Tribal Government; 45,497 Individuals/Households.

Number of Respondents: 45,550.

Frequency of Responses: Reporting; Recordkeeping: Annually.

Total Burden Hours: 405,996 for reporting and recordkeeping.

Food and Nutrition Service

Title: Supplemental Nutrition Assistance Program Regulations—Quality Control (Associated with Interim Final Rule AE64).

OMB Control Number: 0584–0303.

Summary of Collection: Section 16 of the Food and Nutrition Act of 2008, provides the legislative basis for the operation of the Supplemental Nutrition Assistance Program (SNAP) Quality Control system. The Food and Nutrition Service (FNS), as administrator of the SNAP, requires each State agency to implement a quality control system to provide basis for determining each State agency's error rates through review of a sample of SNAP cases. Each State agency is responsible for the design and selection of the quality control samples and must submit a quality control sampling plan for approval to FNS. However, State agencies are required to maintain case records for three years to ensure compliance with provisions of the Food and Nutrition Act of 2008.

In addition, the date of an administrative closure could cause the case to be kept more than three years after the initial case review. This particularly impacts the arbitration component of this collection.

Need and Use of the Information: The quality control sampling plan is necessary for FNS to monitor State operations and is essential to the determination of a State agency's error rate and corresponding entitlement to increased Federal share of its administrative costs or liability for sanctions.

Description of Respondents: State, Local, or Tribal Government; Federal Government.

Number of Respondents: 53.

Frequency of Responses: Recordkeeping; Reporting: On occasion; Annually.

Total Burden Hours: 2,829.

Dated: June 1, 2022.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 2022–12067 Filed 6–3–22; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Forest Service

Request for Information (RFI) Regarding Wildfire Crisis Implementation Plan

AGENCY: Forest Service, Agriculture (USDA).

ACTION: Request for information.

SUMMARY: The Forest Service invites public comment on the framework, focus, and direction of its Wildfire Crisis Implementation Plan associated with the Wildfire Crisis Strategy and specific provisions of the Infrastructure Investment and Jobs Act, 2021. This Implementation Plan differs from a land management plan, which is a requirement of the National Forest Management Act. The Wildfire Crisis Implementation Plan will provide a cross-jurisdictional blueprint for *coordination, collaboration and funding of restoration treatments* specifically designed to reduce wildfire risk to people, communities, and natural resources in high priority, at-risk landscapes. It is intended to be a living document informed by public engagement and outreach, and projects/actions will comply with National Environmental Policy Act (NEPA) accordingly. We invite public comment on specific elements of the Implementation Plan, per questions outlined below. Comments will be considered in further developing and refining approaches taken by the Forest Service.

DATES: Comments must be received in writing by July 6, 2022.

ADDRESSES: Written comments concerning this notice should be sent via email to *https://cara.fs2c.usda.gov/Public/CommentInput?project=NP-3172.*

FOR FURTHER INFORMATION CONTACT: Andrea Bedell-Loucks, Engagement and Strategic Partnerships, Wildfire Risk Reduction Infrastructure Team, (202) 295–7968, *andrea.loucks@usda.gov.* Individuals who use telecommunication devices for the deaf or hard of hearing (TDD) may call the Federal Relay Service (FRS) at 800–877–8339 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: The purpose of this RFI is to inform the public and gather feedback on potential future implementation efforts associated with provisions of the Infrastructure Investment and Jobs Act, 2021 (Pub. L. 117–58, Division D Title VIII, Sec. 40803(b)) and the Forest Service's Wildfire Crisis Strategy (*https://www.fs.usda.gov/sites/default/files/Confronting-Wildfire-Crisis.pdf*). This Implementation Plan differs from a land management plan, which is a requirement of the National Forest Management Act and ''guides management of National Forest System lands'' (36 CFR 219.1(c)).

Background. The past 10 wildfire seasons, including 2020–2021, highlighted the incredible challenges associated with keeping communities safe and more resilient to the impacts of climate change and extreme weather events. These challenges underscore a growing need for a new land management approach within the Forest Service—one that is designed to support strategic management and restoration of millions of acres of land in high-risk areas to protect forest health, watershed function, and human infrastructure.

With the need for increased pace and scale of restoration associated with the Wildfire Crisis Strategy, the Forest Service aims to approach on-going challenges holistically and in partnership with employees, multiple agencies, Tribal and other governments, communities, industries, organizations, and private landowners.

To help inform the development of the Implementation Plan, the Forest Service has partnered with the National Forest Foundation to host a series of virtual roundtable discussions with internal and external audiences. Eight regional roundtables have been conducted since February 2022, and two additional roundtables are planned (Region 9- May 31, June 1–2 and Region 10- June 7–9). These roundtables are intended to strengthen shared approaches to how the Forest Service, Tribal Nations, State and local governments, Federal agencies, and partners work together to reduce risk by moving from small-scale, independently managed treatments to strategic, science-based, landscape-scale treatments. Information on the roundtable discussions hosted by the National Forest Foundation can be found at *https://www.nationalforests.org/collaboration-resources/wildfire-crisis-strategy-roundtables.*

Input Requested. Input is sought on the key thematic questions covered in roundtable discussions to ensure that the Agency develops its Implementation Plan with diverse input from all involved, interested, and affected parties. Our intent with the issuance of this notice is to consider such input and, as appropriate, incorporate it to update and refine the Wildfire Crisis Implementation Plan (*https://www.fs.usda.gov/sites/default/files/Wildfire-Crisis-Implementation-Plan.pdf*). The Forest Service is especially interested in receiving input on the following topics, listed alphabetically with questions for consideration:

Cross-boundary Partnerships. No single entity can accomplish all the work needed to achieve the collective restoration that our forests and communities need. We must build and maintain multi-jurisdictional coalitions to work across landscapes, leverage capacity, and build public and community support for this work. Key questions associated with cross-boundary partnerships include: What are examples of successful tools and approaches to multi-jurisdictional restoration work? Are there process or policy barriers to cross-boundary partnerships that you have encountered, including an ability to reach under-served populations, and if so, what are some potential solutions to these barriers? What can we readily build upon at a regional or national level to advance cross-boundary partnerships and large-scale forest resiliency?

Forest Products and Markets. The wood products industry has been, and will remain, an important partner for helping to achieve restoration outcomes and reduce wildfire risk. New and innovative uses of forest products not only support restoration and reduce risk, but also sequester large quantities of carbon. In these efforts, we will need to explore current market capacity and room for innovation. Key questions associated with forest products and markets include: What are the on-going challenges to a healthy forest products market? How might the Forest Service, Tribal Nations, State and local governments, and other organizations work together to grow markets and market potential? What opportunities are there to expand market potential and access tribal and underserved communities?

Outcome-based Metrics and Prioritization. We are focused on outcome-based work to achieve mutually desired priorities, including risk to people, communities, natural resources, and other values at the landscape scale. We will develop outcome-based performance measures to track accomplishments, to measure effectiveness, and to inform continued

work. Key questions associated with outcome-based metrics and prioritization include: What successful prioritization approaches have you seen at the landscape scale? How are Tribal Nations, State and local governments, and partners involved? How have the needs of underserved and socially vulnerable communities (including tribal communities), and the impacts on these communities, been considered? What tools are you currently using or interested in using, and why?

Science Supporting Wildfire Risk Reduction. Delineation of priority treatment areas and subsequent project design will be supported by the best available science, including social science and Traditional and Indigenous Ecological Knowledge. Key questions associated with science application include: What types of science products do you rely upon to support this work? What do you see as current gaps and information needs in the science of fuels and fire risk reduction efforts? How effective is information sharing across communities, agencies, disciplines, and scales (local, regional, and national), and what can be done to improve or sustain such sharing?

Workforce Capacity. We need to rebuild skills and workforce capacity to accomplish management treatments and fully engage with communities at the necessary pace and scale. This will require building and sustaining an inclusive workforce across governments and organizations. Key questions associated with workforce capacity include: What major constraints are you facing around workforce capacity? What key workforce skills and knowledge are needed for fuels reduction work? How might we ensure our collective workforce is well-positioned to engage and support underserved and socially vulnerable communities? Are there existing training or workforce development programs that you have developed or are using/leveraging for this work?

Conclusion. The Forest Service is considering how best to proceed in further developing and refining its implementation of the Wildfire Crisis Strategy. Your input relating to the questions listed above will be helpful in building this Plan.

Dated: May 31, 2022.

Brian Ferebee,

Senior Executive, Intergovernmental Affairs, USDA Forest Service.

[FR Doc. 2022–12071 Filed 6–3–22; 8:45 am]

BILLING CODE 3411–15–P

DEPARTMENT OF COMMERCE

Census Bureau

[Docket Number 220519–0117]

Change to County-Equivalents in the State of Connecticut

AGENCY: Census Bureau, Commerce.

ACTION: Notice.

SUMMARY: This notice provides information about the State of Connecticut's (hereafter Connecticut or the State) formal request to the Census Bureau to adopt the State's nine planning regions as county-equivalent geographic units for purposes of collecting, tabulating, and disseminating statistical data, replacing the eight counties which ceased to function as governmental and administrative entities in 1960. The Census Bureau will implement this change internally in 2022, with public data and geospatial products reflecting the change beginning in late 2022. By 2024, all Census Bureau operations and publications, both internal and external, will use the nine new county-equivalent boundaries, names, and codes, except for 2020 Decennial Census data publications and other datasets referencing the eight legacy counties as published before June 1, 2022.

FOR FURTHER INFORMATION CONTACT: Requests for additional information on this notice should be directed to Rikki Wortham: *geo.geography@census.gov.* Phone: 812–218–3973.

SUPPLEMENTARY INFORMATION: Officials with the Connecticut Office of Policy and Management contacted the Census Bureau in October 2017 regarding the possibility of replacing the State's eight counties with the State's nine planning regions for purposes of collecting, tabulating, and disseminating statistical data. This notice provides information about Connecticut's formal request to the Census Bureau to adopt the State's nine planning regions, representing their councils of governments (COGs), designated under Section 16a–4a (4) of the Connecticut General Statutes, as the county-equivalent geographic unit for purposes of collecting, tabulating, and disseminating statistical and geospatial data. This notice also serves as a final response to all comments received to the proposed notice published in the **Federal Register** on December 14, 2020 (85 FR 80766).

The Census Bureau is publishing this notice in consultation with Connecticut to inform county-level data users of the decision to implement the change and to request that all stakeholders begin preparation for the mitigation of any potential impacts. Other federal agencies may have their own operational uses for the legacy boundaries, names, codes, or related geospatial data; however, specific guidance on these matters is out of scope for this notice.

All agencies, stakeholders, and data users are urged to review their own operations and procedures to prepare for the change and assess any impacts. The Census Bureau will continue to maintain the boundaries, names, and codes of the eight nonfunctioning legacy counties as recorded by the International Committee for Information Technology Standards (INCITS) (formerly Federal Information Processing Standard (FIPS)) Codes, but they will no longer be recognized as valid and current for future Census Bureau programs, products, and publications after June 2022. Previously published data and geospatial products will continue to reflect the boundaries, names, and codes of the legacy counties in effect at the time of publication and can be used as a reference for research and operational needs.

This notice is Census Bureau's final announcement that Connecticut's request will be implemented and urges all stakeholders to immediately prepare for any impacts related to the adoption of planning regions as county-equivalents on data collection; data analysis; data dissemination; planning and decision making; and program implementation. The Census Bureau suggests that stakeholders: (1) establish plans for updating or replacing data collection and tabulation programs or nonstatistical programs that will not be able to implement this change; (2) establish plans to accommodate a substantial break in data continuity if longitudinal analyses are no longer possible; and (3) identify specific programs and other uses of county-level information that will require county name, code, and boundary updates.

13 U.S.C. 181 requires that the Secretary of Commerce ''annually produce and publish for each State, county, and local unit of general-purpose government which has a population of fifty thousand or more, current data on total population and population characteristics and, to the extent feasible, . . . biennially produce and publish for other local units of general-purpose government current data on total population.'' 13 U.S.C. 183 further requires that with the exception of laws which provide that only population or population characteristics data obtained in the most recent decennial census may be used, that

''. . . for the purpose of administering any law of the United States in which population or other population characteristics are used to determine the amount of benefit received by State, county, or local units of general-purpose government, the Secretary shall transmit to the President for use by the appropriate departments and agencies of the executive branch the data most recently produced and published under this title.'' To meet these statutory requirements, the Census Bureau must, to the best of its ability use the most current, accurate, and up to date geographic boundaries for States, counties, and local units of general-purpose government.

The Census Bureau strives to provide statistical data for geographic areas that are meaningful and relevant for analysis and decision-making. In Connecticut, the nine COGs exist to address matters of mutual interest to their constituent cities and towns, with each member city and town represented by its highest elected official. They function as regional planning organizations, coordinating activities for their constituent cities and towns, and in that capacity can exercise a variety of responsibilities typically undertaken by counties in other states. Being that Connecticut's counties ceased to function as governmental and administrative entities in 1960, the planning regions are more meaningful and relevant areas for tabulation and dissemination of statistical data within the State, as well as for regional and national county comparisons, than are the eight legacy counties.

The Census Bureau believes, given the substantial length of time that has elapsed since the dissolution of Connecticut's counties with no functioning governmental alternatives having been put into place, it is appropriate to accept the adoption of these nine county-equivalent entities and their associated boundaries, codes, and names for spatial representation and publication of statistical data at the county level of the Census Bureau's geographic hierarchy. This decision was made without regard to similar circumstances that may exist in other states and is narrowly focused on this unique situation in Connecticut. Therefore, it should not be taken as a precedent for other situations that may currently exist or arise later.

The Census Bureau will implement this change in early 2022 and use the new county-equivalents when reporting all statistical data and geospatial data referenced to 2022 and all years thereafter.

Background

Although Connecticut's eight counties have long provided stable geographic units for reporting statistical data, they have not served as functional governmental and administrative entities since county government in the state was abolished in 1960. The State's nine COGs function as regional planning organizations, coordinating activities for their constituent cities and towns (note, however, that in some instances the name of the planning region differs from that of its COG). As such, planning regions provide a more meaningful geographic unit for reporting data since the data would be aligned with the collection of municipalities (*i.e.,* cities and towns) that constitute the governance framework for each COG. Each municipality within a designated planning region is entitled to membership in the region's COG upon adoption of an ordinance by its legislative body. The highest elected official of each member municipality is then provided a vote on all COG matters. By reporting statistical data for COGs, member municipalities will be in a better position to plan collaboratively and act strategically on the efficient delivery of services, bulk purchasing, and other matters of practical interest.

While COGs do not have the authority to levy taxes, they are authorized under State law to assess dues on their member municipalities, to accept other sources of public and private assistance for the purpose of providing regional and shared services, and to administer a regional property tax base revenue sharing system if approved by a unanimous vote of its member municipalities. In this regard, as well as the ability to provide the variety of services listed below, Connecticut's COGs and associated planning regions have the authority to carry out administrative functions that are typically found in county governments in other states. Section 8–31b(b) of the Connecticut General Statutes states that:

> Regional services provided to member municipalities shall be determined by each regional council of governments . . . and may include, without limitation, the following services: (1) Engineering; (2) inspectional and planning; (3) economic development; (4) public safety; (5) emergency management; (6) animal control; (7) land use management; (8) tourism promotion; (9) social; (10) health; (11) education; (12) data management; (13) regional sewerage; (14) housing; (15) computerized mapping; (16) household hazardous waste collection; (17) recycling; (18) public facility siting; (19) coordination of master planning; (20) vocational training and development; (21) solid waste disposal; (22) fire protection; (23) regional resource protection; (24) regional impact studies; and (25) transportation.

In the same section, the COGs are authorized to ''accept or participate in any grant, donation, or program made available to counties by any other governmental or private entity.''

Scope of Change

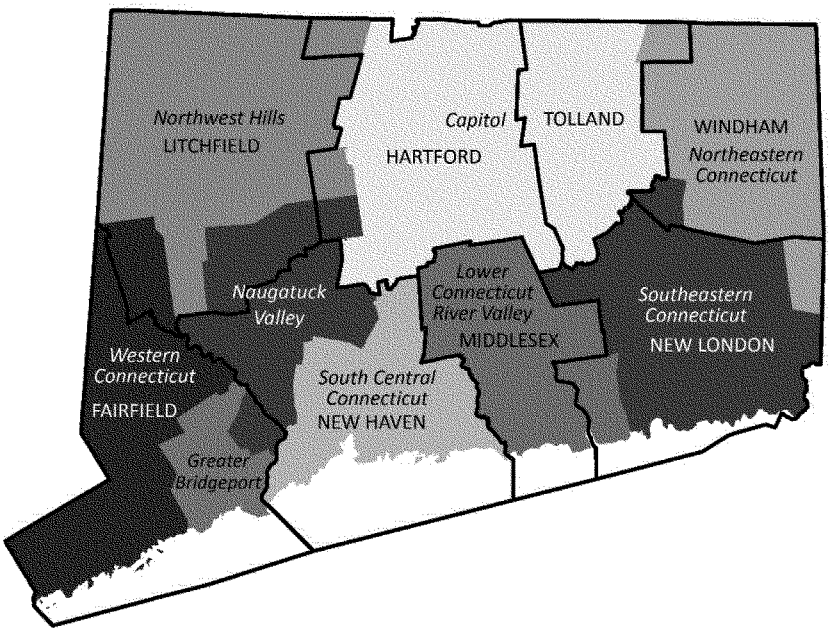
Adoption of the nine planning regions as county-equivalents applies to the collection, tabulation, and dissemination of Census Bureau statistical and geospatial data for Connecticut. The Census Bureau proposes to implement this change internally in early 2022, and will use the resulting county-equivalent planning regions in all of its programs that collect, tabulate, and disseminate demographic or economic data, such as: the American Community Survey (ACS); the intercensal Population Estimates Program (PEP); Small Area Income and Poverty Estimates (SAIPE) Program; the Economic Census; County Business Patterns; the Longitudinal Employer-Household Dynamics Program; the 2030 Decennial Census; and all other future Census Bureau operations. While other federal agencies are encouraged to adopt Connecticut's planning regions as county-equivalents for use in their statistical and non-statistical programs, the Census Bureau does not have the authority to require such a change. Nevertheless, adoption of planning regions as county-equivalents will assure comparability of data produced by all federal agencies as well as comparability between statistical and non-statistical programs.

Transitioning From Counties to Planning Regions

Relationship Between Counties and Planning Regions

Although the planning regions and counties do not align, there is substantial overlap, to the extent that one can discern the relationships between individual planning regions and counties. Figure 1 depicts the relationship between Connecticut's eight counties and its nine planning regions.

Figure 1. Relationship between Counties and Planning Regions. County boundaries are shown as thick lines; names are labeled in standard font in all caps. The planning regions are shaded; names are in italics.



The closest relationship is between Middlesex County and Lower Connecticut River Valley Planning Region, with all 15 of the cities and towns within the county also located within the planning region (which also contains two towns located in New London County).

Cities and towns are the constituent governments within each COG/planning region. As such, data for cities and towns can be aggregated to planning regions, facilitating reconstruction of time series data and longitudinal analysis. Table 1 provides the 2020 Census population and housing for each planning region, based on aggregated data previously published for constituent cities and towns.

TABLE 1—PLANNING REGION: 2020 POPULATION AND HOUSING

Planning region	2020 Census population count	2020 Census housing count
Capitol	976,248	414,084
Greater Bridgeport	325,778	125,332
Lower Connecticut River Valley	174,225	82,497
Naugatuck Valley	450,376	191,376
Northeastern Connecticut	95,348	41,439
Northwest Hills	112,503	55,478
South Central Connecticut	570,487	246,044
Southeastern Connecticut	280,430	125,183
Western Connecticut	620,549	248,764

Using the distribution of cities and towns within counties and planning regions as a guide, data users can use crosswalk relationship files between counties and planning regions, to build longitudinal datasets or make approximate comparisons as depicted in Table 2 below.

TABLE 2—COUNTIES-TO-PLANNING REGIONS APPROXIMATION

County	2020 Census population count	Planning region	2020 Census population count
.....	.....	Greater Bridgeport	325,778
Fairfield	957,419	Western Connecticut	620,549
Hartford	899,498	.....	.....
Tolland	149,788	Capitol	976,248
Litchfield	185,186	Northwest Hills	112,503

TABLE 2—COUNTIES-TO-PLANNING REGIONS APPROXIMATION—Continued

County	2020 Census population count	Planning region	2020 Census population count
Middlesex	164,245	Lower Connecticut River Valley	174,225
		Naugatuck Valley	450,376
New Haven	864,835	South Central Connecticut	570,487
New London	268,555	Southeastern Connecticut	280,430
Windham	116,418	Northeastern Connecticut	95,348

To assist with the transition from counties to planning regions and the development of longitudinal data for the new county-equivalents, the Census Bureau will produce and make available reference files identifying the cities and towns that constitute each planning region, and reference files identifying the relationships between various sub-state and sub-county geographic areas and the planning regions. This will facilitate aggregation of data from Census Bureau programs that collect, tabulate, and disseminate data for cities and towns in Connecticut. These files will be posted at the Census Bureau website titled ''Substantial Changes to Counties and County-Equivalent Entities: 1970–Present'' and will include detailed information about the updates referenced in this notice.

Upon adoption of this change, the Census Bureau will include planning regions in all geospatial data products, including TIGER/Line Shapefiles, TIGER/Line Geodatabases, cartographic boundary files, and mapping services. The INCITS 31 Codes and National Standard (NS) (specifically INCITS 446) Codes for the eight counties will be retired from current and future Census Bureau products and used only within the context of data referencing the counties in Connecticut as published before 2022, see Table 3 below.

TABLE 3—LEGACY COUNTY NAMES AND INCITS (FORMERLY FIPS) CODES

Name	INCITS 38 state + INCITS 31 county code [1]	National standard county code [2]
Fairfield County	09001	00212794
Hartford County	09003	00212338
Litchfield County	09005	00212796
Middlesex County	09007	00212797
New Haven County	09009	00212798
New London County	09011	00212799
Tolland County	09013	00212668
Windham County	09015	00212801

Each planning region has been assigned a new three-digit INCITS 31 Code, starting with 110, and continuing in alphanumeric order by name (Table 4).[3] Each planning region has also been assigned a new eight-digit National Standard (NS) Code as included in the U.S. Board on Geographic Names' (BGN's) Geographic Names Information System (GNIS). These new codes and other attribute codes will be included in Census Bureau geographic reference products after this change is implemented.

TABLE 4—PLANNING REGION NAMES AND INCITS (FORMERLY FIPS) CODES

Name	INCITS 38 state + INCITS 31 county code	National standard county code
Capitol Planning Region	09110	02830244
Greater Bridgeport Planning Region	09120	02830245
Lower Connecticut River Valley Planning Region	09130	02830246
Naugatuck Valley Planning Region	09140	02830249
Northeastern Connecticut Planning Region	09150	02830250
Northwest Hills Planning Region	09160	02830251
South Central Connecticut Planning Region	09170	02830252
Southeastern Connecticut Planning Region	09180	02830253
Western Connecticut Planning Region	09190	02830254

[1] To make the 3-digit county codes (INCITS 31) nationally unique, they need to be combined/concatenated with the 2-digit state codes (INCITS 38) as the prefix.

[2] National Standard Codes included in Census Bureau products are 8-digit INCITS 446 Codes stored and maintained by the U.S. Geological Survey (USGS) on behalf of the U.S. BGN in the GNIS.

[3] The codes in this notice do not match the codes listed in the proposed notice issued on December 14, 2020, in the **Federal Register** (85 FR 80766). After issuing the proposal, it was determined that a distinct break in the INCITS 31 (formerly FIPS 6) Code series would more clearly demarcate the new county-equivalent planning regions from the legacy counties and indicate the significant change in county-level geographic representation.

Relationship to Other Statistical Geographic Entities

The Census Bureau accounted for the change from counties to planning regions when implementing the Participant Statistical Areas Program (PSAP) for the 2020 Census, the program in which the Census Bureau works with local officials to review and update block groups and census tracts. The planning regions were the official PSAP participants in Connecticut for both the 2010 and 2020 censuses, thus ensuring that census tracts and block groups generally aligned with city and town boundaries, facilitating transition to the new county-equivalents. The Census Bureau further reviewed block group and census tract boundaries for the 2020 Census to ensure alignment with planning region boundaries. As a result, the change to county-equivalents in Connecticut will not affect block group and census tract boundaries. Both types of entities will nest within planning region boundaries.

The adoption of planning regions as county-equivalents will affect the current and future delineations of Metropolitan and Micropolitan Statistical Areas as well as Combined Statistical Areas by the Office of Management and Budget. Current New England City and Town Areas (NECTAs) and combined NECTAs are not affected by this change.

Timeline

Officials with Connecticut's Office of Policy and Management contacted the Census Bureau in October 2017 regarding the process they should follow to adopt the State's nine planning regions as county-equivalents. At that time, Census Bureau staff advised that officials first obtain broad data user support throughout the State, including other State agencies, the State Data Center, as well as the planning regions. Table 5 below highlights important milestones of the process leading to the publication of this notice. Once broad support for the change was achieved, a formal request addressed to the Census Bureau's Director was needed for the Census Bureau to take formal steps toward adoption of the nine planning regions as county-equivalents. The State's initial formal request was received by the Census Bureau in August 2019. The State also submitted a letter of support from the Connecticut Data Collaborative/State Data Center attesting to the importance and value of data for planning regions to analysts, decision makers, and other data users throughout Connecticut as well as broad support for the change among data users throughout the State. In addition, members of Connecticut's Congressional delegation, chairs of each of the State's nine COGs, and officials from the Connecticut Conference of Municipalities, Council of Small Towns, and the Advisory Commission on Intergovernmental Relations were copied on the State's letter to the Census Bureau. The Census Bureau held a meeting with Connecticut State and local government officials, State agency staff, and COG chairs in April 2020 to provide an update on outreach regarding the proposed change where meeting participants reiterated the importance of, and support for, adoption of the State's nine planning regions as county-equivalents.

The Census Bureau began outreach to other federal agencies and data users regarding this change in October 2019, following Connecticut's formal request to begin the process of replacing its eight counties with the nine planning regions. The Census Bureau published a notice in the **Federal Register** on December 14, 2020 (85 FR 80766) requesting comments on the proposed program change. The Census Bureau has held seven briefings for staff of federal agencies: one for the Interagency Council on Statistical Policy; two organized by the Federal Committee on Statistical Methodology—Geospatial Interest Group; two specifically for Department of Housing and Urban Development staff, including staff managing the Community Development Block Grant and other funding allocation programs; one specifically for Bureau of Labor Statistics staff; and one organized by the U.S. Department of Transportation attended by federal, State, and local transportation planners.

Summary of Comments Received in Response to Proposed Changes

The Census Bureau received eight comments in total in response to the notice on the proposal published in the **Federal Register** on December 14, 2020 (85 FR 80766). Six of the comments expressed support for the change. One comment suggested a change from the county code assignments published in Table 4 of the proposed notice to the county code assignment which was adopted for this final notice. The final comment focused on questions regarding state-level decisions and was referred to Connecticut executive stakeholders to provide a response.

Following completion of the formal period of comment associated with the proposal in the December 14, 2020 **Federal Register** Notice (85 FR 80766), the Census Bureau, in consultation with Connecticut government officials, reviewed the comments received to determine if there were valid reasons to revisit the proposed plan. With none being noted, Connecticut reached the final decision in December 2021 to move forward with the implementation of the nine planning regions as county-equivalents in Census Bureau publications. This Notice serves as the Census Bureau's final formal announcement of intent to immediately implement the changes detailed herein.

The Census Bureau continued to conduct additional outreach after the official comment period for the proposal in the **Federal Register** Notice closed on February 12, 2021. From March 2021 to February 2022 the Census Bureau held meetings with DHS (Department of Homeland Security) and two of its components, FEMA (Federal Emergency Management Agency) and the Office of Infrastructure within NPPD (the National Protection and Program Directorate); the Department of Interior and its component agency, the U.S. Geological Survey, including USGS's National Geospatial Program Office; the Department of Agriculture; the Department of Defense Office of the Assistant Secretary of Defense for Homeland Defense and Americas' Security Affairs; and, two other Commerce Department bureaus, NOAA (National Oceanic and Atmospheric Administration—including the National Weather Service) and BEA (Bureau of Economic Affairs).

TABLE 5—TIMELINE OF ACTIVITIES

Activity	Dates
Officials from the State of Connecticut's Office of Policy and Management contact Census Bureau regarding proposed adoption of planning regions as county-equivalents.	October 2017.
Connecticut Office of Policy and Management staff conduct outreach at the State-level to obtain consensus for change.	November 2017–March 2019.

TABLE 5—TIMELINE OF ACTIVITIES—Continued

Activity	Dates
Formal request from the State of Connecticut to the Census Bureau's Director regarding adoption of planning regions as county-equivalents.	August 2019.
Census Bureau outreach to federal agencies and other data users	September 2019–present
FEDERAL REGISTER Notice announcing the Census Bureau's proposed implementation of the change in county-equivalents.	December 14, 2020.
Census Bureau receives final decision from Connecticut to move forward with the changes	December 1, 2021.
Census Bureau, in consultation with the State of Connecticut, issues final decision regarding adoption of planning regions as county-equivalents.	Spring 2022.

Robert L. Santos, Director, Census Bureau, approved the publication of this Notice in the **Federal Register**.

Dated: May 31, 2022.

Mary Reuling Lenaiyasa,

Program Manager, Paperwork Reduction Act, Policy Coordination Office, Census Bureau.

[FR Doc. 2022–12063 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–22–2022]

Foreign-Trade Zone 164—Muskogee, Oklahoma; Application for Reorganization and Expansion Under Alternative Site Framework

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the Muskogee City-County Port Authority, grantee of FTZ 164, requesting authority to reorganize and expand the zone under the alternative site framework (ASF) adopted by the FTZ Board (15 CFR 400.2(c)). The ASF is an option for grantees for the establishment or reorganization of zones and can permit significantly greater flexibility in the designation of new subzones or ''usage-driven'' FTZ sites for operators/users located within a grantee's ''service area'' in the context of the FTZ Board's standard 2,000-acre activation limit for a zone. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally docketed on May 31, 2022.

FTZ 164 was approved by the FTZ Board on November 17, 1989 (Board Order 450, 54 FR 49321, November 30, 1989) and expanded on February 12, 2007 (Board Order 1500, 72 FR 8966–8967, February 28, 2007).

The current zone includes the following sites: *Site 1* (48.19 acres total)—Port of Muskogee located at Port and Industrial Park Service Road and Port Access Road (14.6 acres), at 2631 Port Place Road (5.92 acres) and at North 43rd Street East and Don Cayo Road (27.67 acres) in Muskogee; *Site 2* (47.47 acres)—Port of Muskogee/John T. Griffin Industrial Park (Lot 2) located on Dal-Tile Road near State Highway 165 and U.S. Highway 64 in Muskogee; and, *Site 3* (22.83 acres total)—Komar Distribution Center facilities located at 400 West Chickasaw (7.63 acres) and at 10 V. Hubert Smith Drive (15.2 acres) in McAlester.

The grantee's proposed service area under the ASF would be Muskogee County, Oklahoma, as described in the application. If approved, the grantee would be able to serve sites throughout the service area based on companies' needs for FTZ designation. The application indicates that the proposed service area is adjacent to the Tulsa Customs and Border Protection port of entry.

The applicant is requesting authority to reorganize its existing zone to include all of the existing sites as ''magnet'' sites. The ASF allows for the possible exemption of one magnet site from the ''sunset'' time limits that generally apply to sites under the ASF, and the applicant proposes that Site 1 be so exempted. The applicant is also requesting approval of the following subzone: *Proposed Subzone 164A*—Vallourec Star, LP, 3800 Port Place, Muskogee, Muskogee County (102 acres).

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is August 5, 2022. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to August 22, 2022.

A copy of the application will be available for public inspection in the ''Online FTZ Information Section'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.* For further information, contact Camille Evans at *Camille.Evans@trade.gov.*

Dated: May 31, 2022.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2022–12078 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[B–23–2022]

Foreign-Trade Zone 163—Ponce, Puerto Rico; Application for Subzone; Petro Air Corporation, Carolina, Puerto Rico

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by CODEZOL, C.D., grantee of FTZ 163, requesting subzone status for the facility of Petro Air Corporation, located in Carolina, Puerto Rico. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on May 31, 2022.

The proposed subzone (0.80 acres) is located at World Fuel—Petro Air Facility, PR–26 LMM Airport, Calle José Santana Interior, Carolina, Puerto Rico. No authorization for production activity has been requested at this time.

In accordance with the FTZ Board's regulations, Camille Evans of the FTZ Staff is designated examiner to review the application and make recommendations to the FTZ Board.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: *ftz@trade.gov.* The closing period for their receipt is July 18, 2022. Rebuttal comments in response to material submitted during

the foregoing period may be submitted during the subsequent 15-day period to August 1, 2022.

A copy of the application will be available for public inspection in the ''Online FTZ Information Section'' section of the FTZ Board's website, which is accessible via *www.trade.gov/ftz.*

For further information, contact Camille Evans at *Camille.Evans@trade.gov.*

Dated: May 31, 2022.

Andrew McGilvray,

Executive Secretary.

[FR Doc. 2022–12081 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–842]

Prestressed Concrete Steel Wire Strand From the Republic of Turkey: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Investigation; Notice of Amended Final Determination

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On May 26, 2022, the U.S. Court of International Trade (CIT) issued its final judgment in *Celik Halat ve Tel Sanayi A.S.* v. *United States,* Consol. Court no. 21–00045, sustaining the U.S. Department of Commerce's (Commerce) remand redetermination pertaining to the antidumping duty (AD) investigation of prestressed concrete steel wire strand (PC strand) from the Republic of Turkey (Turkey) covering the period of investigation April 1, 2019, through March 31, 2020. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final determination and Commerce is amending the final determination and the resulting AD order with respect to the dumping margin assigned to Celik Halat ve Tel Sanayi A.S. (Celik Halat) and all other producers and exporters of subject merchandise.

DATES: Applicable June 5, 2022.

FOR FURTHER INFORMATION CONTACT: Ajay Menon, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–0208.

SUPPLEMENTARY INFORMATION:

Background

On December 11, 2020, Commerce published its *Final Determination* in the AD investigation of PC strand from Turkey. Commerce assigned a dumping margin of 53.65 percent to Celik Halat and all other producers and exporters of subject merchandise.[1] Commerce subsequently published the AD order on PC strand from Turkey.[2]

Celik Halat appealed Commerce's *Final Determination.* On February 15, 2022, the CIT remanded the *Final Determination* to Commerce, instructing Commerce to determine Celik Halat's estimated weighted-average dumping margin without applying section 776 of the Tariff Act of 1930, as amended (the Act) with respect to the filing of the company's response to sections B and C of the AD questionnaire.[3]

In its final remand redetermination, issued in April 2022, Commerce reopened the record for Celik Halat to submit its response to sections B and C of the AD questionnaire and used this information to calculate Celik Halat's weighted-average dumping margin.[4] As a result, Celik Halat's revised weighted-average dumping margin is 17.88 percent. The CIT sustained Commerce's final redetermination.[5]

Timken Notice

In its decision in *Timken,*[6] as clarified by *Diamond Sawblades,*[7] the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A€ a€(e) of the Act, Commerce must publish a notice of court decision that is not ''in harmony'' with a Commerce determination and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's May 26, 2022 judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Determination.* Thus, this notice is published in fulfillment of the publication requirements of *Timken.*

Amended Final Determination

Because there is now a final court judgment, Commerce is amending its *Final Determination* with respect to Celik Halat as follows:

Producer/exporter	Weighted-average dumping margin (percent)	Cash deposit rate [8]
Celik Halat ve Tel Sanayi A.S.	17.88	17.39
All Others	17.88	17.39

[1] *See Prestressed Concrete Steel Wire Strand from Argentina, Colombia, Egypt, the Netherlands, Saudi Arabia, Taiwan, the Republic of Turkey, and the United Arab Emirates: Final Affirmative Determinations of Sales at Less Than Fair Value and Final Affirmative Critical Circumstances Determinations, in Part,* 85 FR 80001 (December 11, 2021) (*Final Determination*). Commerce later published a correction to the *Final Determination* to list the adjusted cash deposit rates after accounting for export subsidies in the companion countervailing duty investigation. *See Prestressed Concrete Steel Wire Strand from the Republic of Turkey: Notice of Correction to the Final Affirmative Determination of Sales at Less Than Fair Value,* 86 FR 11724 (February 26, 2021).

[2] *See Prestressed Concrete Steel Wire Strand from Argentina, Colombia, Egypt, the Netherlands, Saudi Arabia, Taiwan, the Republic of Turkey, and the United Arab Emirates: Antidumping Duty Orders,* 86 FR 7703 (February 1, 2021).

[3] *See Celik Halat ve Tel Sanayi A.S.* v. *United States,* Slip Op. 22–12, Consol. Court No. 21–00045 (CIT February 15, 2022).

[4] *See* Final Results of Redetermination Pursuant to Court Remand, Consol. Court No. 21–00045, dated April 1, 2022.

[5] *See Celik Halat ve Tel Sanayi A.S.* v. *United States,* Slip Op. 22–54, Consol. Court No. 21–00045 (CIT May 26, 2022).

[6] *See Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

[7] See *Diamond Sawblades Manufacturers Coalition* v. *United States,* 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond* Sawblades).

[8] The cash deposit rate for Celik Halat and the companies covered by the all-others rate is adjusted for the export subsidies found for Celik Halat in the final remand redetermination of the companion countervailing duty investigation (*i.e.,* 0.49 percent). *See* Final Results of Redetermination Pursuant to Court Remand, Court No. 21–00050, dated April 15, 2022, at 26–27 and 30–32, *aff'd Celik Halat ve Tel Sanayi A.S.* v. *United States,* Slip Op. 22–55, Consol. Court No. 21–00050 (CIT May 26, 2022).

Cash Deposit Requirements

Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: May 31, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2022–12094 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–501]

Circular Welded Carbon Steel Standard Pipe and Tube Products From Turkey: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on circular welded carbon steel standard pipe and tube products (CWP) from Turkey. The period of review (POR) is May 1, 2020, through April 30, 2021. Commerce preliminarily determines that the producers/exporters subject to this review made sales of subject merchandise at less than normal value. We invite interested parties to comment on these preliminary results.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Magd Zalok, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4162.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, based on timely requests for a review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated this administrative review,[1] covering 20 companies.[2] The sole mandatory respondent in this administrative review is Borusan Mannesmann Boru Sanayi ve Ticaret A.S. (Borusan Mannesmann) and Borusan Istikbal Ticaret T.A.S. (Istikbal) (collectively, Borusan).[3] On January 11, 2022, we extended the deadline for the preliminary results by 120 days to May 31, 2022.[4]

Scope of the Order [5]

The merchandise covered by the *Order* is circular welded carbon steel standard pipe and tube products. For a complete description of the scope of the *Order, see* the Preliminary Decision Memorandum.[6]

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.[7] A list of the topics discussed in the Preliminary Decision Memorandum is attached as Appendix I to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Preliminary Determination of No Shipments

Between June 16 and August 5, 2021, 15 companies timely submitted letters to Commerce certifying that they had no sales, shipments, or entries of the subject merchandise to the United States during the POR.[8]

With respect to Istikbal, one of the companies which certified no shipments during the POR, we continue to find it to be part of the single entity, Borusan, and we find no record evidence that warrants altering this treatment.[9] Therefore, because we find

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 35481 (July 6, 2021) (*Initiation Notice*). In the *Initiation Notice,* we inadvertently omitted the name of a company for which a review was requested, Kale Baglanti Teknolojileri San. ve Tic. A.S., and included the name of Borusan Mannesmann Pipe U.S. Inc. (BMP), Borusan Mannesmann Boru Sanayi ve Ticaret A.S.' affiliated U.S. reseller, which, itself, is not an exporter or producer of the subject merchandise. On May 19, 2022, Commerce published in the **Federal Register** a correction to the *Initiation Notice,* in which we identified these errors and announced a correction, by including the name of Kale Baglanti Teknolojileri San. ve Tic. A.S. and removing BMP from the list of companies covered by the initiation of an administrative review. *See Circular Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Correction to the Initiation Notice of the 2020–2021 Antidumping Duty Administrative Review,* 87 FR 30453 (May 19, 2022).

[2] *Id.*

[3] *See* Memorandum, ''Administrative Review of the Antidumping Duty Order on Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Respondent Selection,'' dated August 11, 2021. We note that in the *Initiation Notice,* there is a spelling error for Istikbal's name. Specifically, Istikbal's name should read ''Borusan Istikbal Ticaret T.A.S.,'' instead of ''Borusman Istikbal Ticaret T.A.S.,'' which is the name listed in the *Initiation Notice* based on review requests from Nucor Tubular Products Inc. (Nucor) and Wheatland Tube Company (Wheatland). Accordingly, we are correcting this spelling error for purposes of these preliminary results.

[4] *See* Memorandum, ''2020–2021 Antidumping Duty Administrative Review of Circular Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated January 11, 2022.

[5] *Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products from Turkey,* 51 FR 17784 (May 15, 1986) (*Order*).

[6] *See* Memorandum, ''Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Circular Welded Carbon Steel Standard Pipe and Tube Products from Turkey; 2020–2021'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[7] *Id.*

[8] *See* Toscelik Profil ve Sac Endustrisi A.S.'s (Toscelik Profil) Letter, ''Circular Welded Carbon Steel Pipe from Turkey; Toscelik No Shipments Letter,'' dated June 18, 2021; Yucel Boru ve Profil Endustrisi A.Ş.'s Letter, ''Circular Welded Carbon Steel Pipe from Turkey; Yucel No Shipments Letter,'' dated June 18, 2021; Cinar Boru Profil Sanayi ve Ticaret Anonim Sirketi's Letter, ''Circular Welded Carbon Steel Pipes and Tubes from Turkey (A–489–501),'' dated June 16, 2021; Erbosan Erciyas Boru Sanayi ve Ticaret A.S.'s Letter, ''No Shipment Certificate of Erbosan Erciyas Boru Sanayi ve Ticaret A.S. (''ERBOSAN''), dated July 1, 2021; and Borusan Mannesmann's Letter, ''Circular Welded Carbon Steel Pipes and Tubes from Turkey, Case No. A–489–501: No Shipments Letter,'' dated August 5, 2021. One of these 15 companies, Toscelik Spiral Boru Uretim A.S. (Toscelik Uretim), which is not subject to this review, voluntarily submitted a no shipment certification via Toscelik Profil's No Shipment Certification Letter. However, because this company is not subject to this review (*i.e.,* no party requested a review of Toscelik Uretim), we have not evaluated its no shipment claim.

[9] *See, e.g., Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Final Results of Antidumping Duty Administrative Review and*

[8] The cash deposit rate for Celik Halat and the companies covered by the all-others rate is adjusted for the export subsidies found for Celik Halat in the final remand redetermination of the companion countervailing duty investigation (*i.e.,* 0.49 percent). *See* Final Results of Redetermination Pursuant to Court Remand, Court No. 21–00050, dated April 15, 2022, at 26–27 and 30–32, *aff'd Celik Halat ve Tel Sanayi A.S.* v. *United States,* Slip Op. 22–55, Consol. Court No. 21–00050 (CIT May 26, 2022).

that Borusan had shipments during this POR, we have not made a preliminary determination of no shipments with respect to Istikbal.

With respect to the remaining 13 companies that certified no shipments and are under review,[10] U.S. Customs and Border Protection (CBP) did not have any information to contradict these claims of no shipments during the POR.[11] Therefore, we preliminarily determine that the companies listed in Appendix II did not have shipments of subject merchandise during the POR. Consistent with our practice,[12] Commerce finds that it is not appropriate to rescind the review with respect to these 13 companies but, rather, to complete the review and issue appropriate instructions to CBP based on the final results of this review.

Rates for Companies Not Individually Examined

The statute and Commerce's regulations do not address the establishment of a rate to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance when calculating the rate for companies which were not selected for individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally ''an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely on the basis of facts available.''

Five companies, Borusan Holding; Borusan Mannesmann Yatirim Holding; Noksel Celik Boru Sanayi A.S.; Kale Baglann Teknolojileri San. ve Tic. A.S.; and Kale Baglanti Teknolojileri San. ve Tic. A.S., remain subject to this administrative review because none of these five companies were selected as a mandatory respondent;[13] the subject of a withdrawal of request for review, requested to participate as a voluntary respondent, or submitted a claim of no shipments. As such, these five companies remain as unexamined respondents. In accordance with section 735(c)(5)(A) of the Act, Commerce is assigning the weighted-average dumping margin of the mandatory respondent Borusan, 13.79 percent, to the five non-selected companies in these preliminary results.

Preliminary Results of Review

We preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 2020, through April 30, 2021:

Exporter/producer	Weighted-average dumping margin (percent)
Borusan Mannesmann Boru Sanayi ve Ticaret A.S./Borusan Istikbal Ticaret T.A.S	13.79
Borusan Holding	13.79
Borusan Mannesmann Yatirim Holding	13.79
Kale Baglanti Teknolojileri San. ve Tic. A.S	13.79
Kale Baglann Teknolojileri San. Ve Tic. A.S	13.79
Noksel Celik Boru Sanayi A.S	13.79

Assessment Rates

Upon issuance of the final results, Commerce will determine, and CBP shall assess, Ads on all appropriate entries covered by this review.[14] The final results of this review shall be the basis for the assessment of ADs on entries of merchandise covered by this review and for future deposits of estimated duties, where applicable.[15]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Pursuant to 19 CFR 351.212(b)(1), where an examined respondent's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.5 percent) in the final results of this review, we will calculate an importer-specific *ad valorem* duty assessment rate based on the ratio of the total amount of dumping calculated for the U.S. sales for a given importer to the total entered value of those sales. Where a mandatory respondent did not report entered value, we calculate the entered value in order to calculate the assessment rate. Where either the respondent's weighted-average dumping margin is zero or de minimis within the meaning of 19 CFR 351.106(c)(1), or an importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to ADs.

For the companies that were not selected for individual examination, we will instruct CBP to assess antidumping duties at an *ad valorem* rate equal to each company's weighted-average dumping margin determined in the final results of this review.

For entries of subject merchandise during the POR produced by Borusan for which it did not know that its merchandise was destined for the United States and for all entries attributed to companies that we find had no shipments during the POR, we will instruct CBP to liquidate such unreviewed entries pursuant to the reseller policy,[16] *i.e.,* the assessment rate for such entries will be equal to the all-others rate established in the investigation (*i.e.,* 14.74 percent *ad valorem*),[17] if there is no rate for the intermediate company(ies) involved in the transaction.

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for each specific

Final Determination of No Shipments; 2013–2014, 80 FR 76674, 76674 (December 10, 2015).

[10] As stated above, Toscelik Uretim is not under review and, therefore, we have not evaluated its no shipment claim.

[11] *See* Preliminary Decision Memorandum; *see also* Memorandum, ''Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Release of Customs and Border Protection Data,'' dated July 16, 2021.

[12] *See, e.g., Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from the Republic of Turkey: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipment; 2017–2018,* 84 FR 34863 (July 19, 2019), and accompanying Preliminary Decision Memorandum at 4; *see also Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties,* 76 FR 65694–95 (October 24, 2011); the ''Assessment Rates'' section, below; and *Certain Frozen Warmwater Shrimp from Thailand; Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Review, Preliminary Determination of No Shipments; 2012–2013,* 79 FR 15951, 15952 (March 24, 2014), unchanged in *Certain Frozen Warmwater Shrimp from Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission of Review; 2012–2013,* 79 FR 51306, 51307 (August 28, 2014).

[13] *See* Memorandum, ''Administrative Review of the Antidumping Duty Order on Welded Carbon Steel Standard Pipe and Tube Products from Turkey: Respondent Selection,'' dated August 11, 2021.

[14] 19 CFR 351.212(b)(1).

[15] *See* section 751(a)(2)(C) of the Act.

[16] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR23954 (May 6, 2003).

[17] *See Order,* 51 FR 17784.

company listed above will be equal to each company's weighted-average dumping margin established in the final results of this review, (except if the *ad valorem* rate is *de minimis* within the meaning of 19 CFR 351.106(C)(1), in which case the cash deposit rate will be zero); (2) for previously investigated companies not participating in this review, the cash deposit will continue to be the company-specific rate published for the most recently completed segment of this proceeding in which the company participated; (3) if the exporter is not a firm covered in this review, or the underlying investigation, but the producer is, then the cash deposit rate will be the rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 14.74 percent, the all-others rate established in the underlying investigation.[18]

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice in accordance with 19 CFR 351.224(b).

Interested parties may submit case briefs no later than 30 days after the date of publication of this notice.[19] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the time limit for filing case briefs.[20] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[21] Executive summaries should be limited to five pages total, including footnotes.[22] Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.[23] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[24]

Pursuant to 19 CFR 351.310(c), any interested party who wishes to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance within 30 days of publication of this notice. Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Issues raised in the hearing will be limited to issues raised in the case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined.[25] Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

All submissions to Commerce must be filed electronically using ACCESS [26] and must also be served on interested parties.[27] An electronically filed document must be received successfully in its entirety by ACCESS, by 5 p.m. Eastern Time (ET) on the date that the document is due.

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, which will include the results of its analysis of issues raised in any briefs, within 120 days of publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of ADs prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of ADs occurred and the subsequent assessment of double ADs.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 27, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Preliminary Determination of No Shipments
V. Companies Not Selected For Individual Examination
VI. Discussion Of The Methodology
VII. Currency Conversion
VIII. Recommendation

Appendix II

List of Companies With No Shipments During the Period of Review

1. Toscelik Profil ve Sac Endustrisi A.S.;
2. Tosyali Dis Ticaret A.S.;
3. Toscelik Metal Ticaret A.S.;
4. Cayirova Boru Sanayi ve Ticaret A.S.;
5. Yucel Boru ve Profil Endustrisi A.S.;
6. Yucelboru Ihracat ve Pazarlama A.S.;[28]
7. Cinar Boru Profil San. Ve Tic. AS;
8. Erbosan Erciyas Boru Sanayi ve Ticaret A.S.;
9. Borusan Birlesik Boru Fabrikalari San ve Tic;
10. Borusan Gemlik Boru Tesisleri A.S.;
11. Borusan Ihracat Ithalat ve Dagitim A.S.;
12. Tubeco Pipe and Steel Corporation; and
13. Borusan Ithicat ve Dagitim A.S.

[FR Doc. 2022–12087 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–423–812]

Certain Carbon and Alloy Steel Cut-To-Length Plate From Belgium: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (Commerce) preliminarily determines that Industeel Belgium S.A. (Industeel), a producer and exporter subject to this administrative review, made sales of subject merchandise at less than normal value (NV) during the period of review (POR) May 1, 2020, through April 30, 2021. Additionally, based on timely withdrawal of requests for review, we are rescinding this administrative review with respect to all other companies for which we initiatated an administrative review. Interested parties are invited to comment on these preliminary results.

[18] *Id.*

[19] *See* 19 CFR 351.309(c)(1)(ii); *see also* 19 CFR 351.303 (for general filing requirements).

[20] *See* 19 CFR 351.309(d)(1).

[21] *See* 19 CFR 351.309(c)(2) and (d)(2).

[22] *Id.*

[23] *See* 19 CFR 351.303.

[24] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[25] *See* 19 CFR 351.310(c).

[26] *See* 19 CFR 351.303.

[27] *See* 19 CFR 351.303(f).

[28] We note that Nucor, a petitioner in this proceeding, requested an administrative review for ''Yucelboru Ihracat Ithalat ve Pazarlama A.S.,'' whereas, the second petitioner, Wheatland, requested an administrative review for ''Yucelboru Ihracat ve Pazarlama A.S.'' (Yucelboru). Additionally, the *Initiation Notice* listed Yucelboru's name as listed in Wheatland's Request for an administrative review (*i.e.,* ''Yucelboru Ihracat vs Pazarlama A.S.''). Accordingly, we reference Yucelboru's name as listed in the *Initiation Notice* for purposes of these preliminary results.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Alex Wood, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1959.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, based on timely requests for review in accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of an administrative review of the antidumping duty order on certain carbon and alloy steel cut-to-length plate from Belgium.[1] This review covers 31 producers and/or exporters of the subject merchandise. Commerce selected one company, Industeel, for individual examination. On October 4, 2021, Cleveland-Cliffs Steel LLC, Nucor Corporation, and SSAB Enterprises, LLC (collectively, the petitioners) withdrew their requests for an administrative review with respect to every company except Industeel.

On January 5, 2022, Commerce extended the preliminary results of this review by 120 days, until May 31, 2022.[2] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3] A list of topics discussed in the Preliminary Decision Memorandum is included at Appendix I to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *http://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Partial Rescission

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if a party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. The petitioners timely withdrew their request for an administrative review with respect to each company listed in the *Initiation Notice* other than Industeel. No other party requested a review of these companies. Accordingly, we are rescinding this review, in part, with respect to these companies, pursuant to 19 CFR 351.213(d)(1). The producers and/or exporters for which we are rescinding the administrative review are listed at Appendix II of this notice.

Scope of the Order

The products covered by the order are certain carbon and alloy steel cut-to-length plate from Belgium. For a full description of the scope of the order, *see* Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2020, through April 30, 2021:

Producer/exporter	Weighted-average dumping margin (percent)
Industeel Belgium S.A.	1.15

Verification

On October 14, 2021, the petitioners requested that Commerce conduct verification of Industeel's responses.[4] Accordingly, as provided in section 782(i)(3) of the Act, we intend to verify information relied upon for the final results of this review.

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[5] Case briefs or other written comments may be submitted to Commerce. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date.[6] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the time limit for filing case briefs.[7] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[8] Case and rebuttal briefs should be filed using ACCESS and must be served on interested parties.[9] Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[10]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days after the date of publication of this notice.[11] Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; (3) whether any participant is a foreign national; and (4) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.[12] Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless otherwise extended.[13]

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[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 38481 (July 6, 2021).

[2] *See* Memorandum, ''Extension of Deadline for Preliminary Results of 2020–2021 Antidumping Duty Administrative Review,'' dated January 5, 2022.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2020–2021 Administrative Review of the Antidumping Duty Order on Certain Carbon and Alloy Steel Cut-To-Length Plate from Belgium,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* Petitioners' Letter, ''Request for Verification,'' dated October 14, 2021.

[5] *See* 19 CFR 351.224(b).

[6] *See* 19 CFR 351.309(c)(ii).

[7] Commerce is exercising its discretion, under 19 CFR 351.309(d)(1), to alter the time limit for filing of rebuttal briefs.

[8] *See* 19 CFR 351.309(c)(2) and (d)(2).

[9] *See* 19 CFR 351.303.

[10] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[11] *See* 19 CFR 351.310(c).

[12] *See* 19 CFR 351.310(d).

[13] *See* section 751(a)(3)(A) of the Act and 19 CFR 351.213(h).

Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.[14]

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales. Where either the respondent's weighted-average dumping margin is zero or *de minimis,* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.[15]

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by Industeel for which it did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate [16] if there is no rate for the intermediate company(ies) involved in the transaction.[17]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

For the companies for which the administrative review is rescinded, we will instruct CBP to assess antidumping duties on all appropriate entries at a rate equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Industeel will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 5.40 percent, the all-others rate established in the LTFV investigation.[18] These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 27, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Partial Rescission of Administrative Review
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

Appendix II

List of Companies for Which This Review Has Been Rescinded

Producer/exporter
A.G. der Dillinger Hutte.
BBC Chartering Belgium.
C.A. Picard GmbH.
Doerrenberg Edelstahl GmbH.
DMC Nobelclad Europe S.A.
Edgen Murray.
EEW Steel Trading LLC.
Erndtebrucker Eisenwerk GmbH & Co. KG.
Fike Europe B.A.
Industeel France S.A.S.
Logiudice Forni SRL.
Macsteel International.
Nialco S.A.
NLMK Clabecq S.A.
NLMK Dansteel A.S.
NLMK Plate Sales S.A.
NLMK Sales Europe S.A.
NLMK Manage Steel Center S.A.
NLMK La Louviere S.A.
NLMK Verona SpP.
NobelClad Europe GmbH & Co. KG.
RP Technik GmbH Profilsysteme.
Salzgitter Mannesmann International GmbH.
Stahlo Stahl Service GmbH & Co. KG.
Stemcor USA, Inc.
Thyssenkrupp Steel Europe AG.
TWF Treuhandgesellschaft Werbefilm mbH.
Tranter Service Centers.
Valcovny Trub Chomutov A.s.
Voestalpine Grobblech GmbH.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–834]

Certain Carbon and Alloy Steel Cut-To-Length Plate From Italy: Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

[14] *See* 19 CFR 351.212(b).

[15] *See* 19 CFR 351.106(c)(2).

[16] *See Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea and Taiwan, and Antidumping Duty Orders,* 82 FR 24096, 24098 (May 25, 2017) (*CTL Plate Order*).

[17] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[18] *See CTL Plate Order,* 82 FR 24098.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that the producers/exporters subject to this administrative review made sales of subject merchandise at less than normal value (NV) during the period of review (POR) May 1, 2020, through April 30, 2021. Additionally, Commerce preliminarily determines that a company for which we initiated a review had no shipments during the POR. Interested parties are invited to comment on these preliminary results.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Alice Maldonado or David Crespo, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4682 or (202) 482–3693, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, based on timely requests for review in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review of the antidumping duty order on certain carbon and alloy steel cut-to-length plate from Italy.[1] This review covers 11 producers and/or exporters of the subject merchandise. Commerce selected two companies, NLMK Verona SpA (NVR) and Officine Tecnosider s.r.l. (OTS), for individual examination. One company, Lyman Steel Company (Lyman), reported having no shipments during the POR, *see* ''Preliminary Determination of No Shipments'' section below. The remaining producers and/or exporters not selected for individual examination are listed in the ''Preliminary Results of the Review'' section of this notice.

On January 6, 2022, Commerce extended the preliminary results of this review by 120 days, until May 31, 2022.[2] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3]

Scope of the Order [4]

The products covered by the *Order* are certain carbon and alloy steel hot-rolled or forged flat plate products not in coils, whether or not painted, varnished, or coated with plastics or other non-metallic substances from Italy. Products subject to the order are currently classified in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7225.40.1110, 7225.40.1180, 7225.40.3005, 7225.40.3050, 7226.20.0000, and 7226.91.5000. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.[5]

Methodology

Commerce is conducting this review in accordance with section 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Export price and constructed export price are calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as an appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Preliminary Determination of No Shipments

One company under review, Lyman, filed a statement reporting that it made no shipments of subject merchandise to the United States during the POR.[6] We were able to confirm Lyman's claim with U.S. Customs and Border Protection (CBP).[7] Consequently, we preliminarily determine that Lyman had no shipments during the POR. Consistent with our practice, we find that it is not appropriate to preliminarily rescind the review with respect to this company, and we will instead complete the review for this company and issue appropriate instructions to CBP based on the final results of this review.[8]

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 2020, through April 30, 2021:

Producer/exporter	Weighted-average dumping margin (percent)
NLMK Verona SpA	1.47
Officine Tecnosider s.r.l	20.44
Arvedi Tubi Acciaio	4.43
C.M.T. Construzioni Meccaniche di Taglione Emilio & C. S.a.s	4.43
O.ME.P SpA	4.43
Ofar SpA	4.43
Officine Meccaniche M.A.M. s.r.l	4.43
Sesa SpA	4.43
SZ Acroni D.o.o	4.43
Tim-Cop Doo Temerin	4.43

Rate for Non-Examined Companies

The Act and Commerce's regulations do not address the establishment of a weighted-average dumping margin to be applied to companies not selected for individual examination when Commerce limits its examination in an administrative review pursuant to section 777A(c)(2) of the Act. Generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a less-than-fair-value investigation, for guidance when calculating the weighted-average dumping margin for companies that were not selected for

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 35481 (July 6, 2021).

[2] *See* Memorandum, ''Extension of Deadline for Preliminary Results of 2020–2021 Antidumping Duty Administrative Review,'' dated January 6, 2022.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2020–2021 Administrative Review of the Antidumping Duty Order on Certain Carbon and Alloy Steel Cut-To-Length Plate from Italy,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See Certain Carbon and Alloy Steel Cut-To-Length Plate from Austria, Belgium, France, the Federal Republic of Germany, Italy, Japan, the Republic of Korea, and Taiwan: Amended Final Affirmative Antidumping Determinations for France, the Federal Republic of Germany, the Republic of Korea, and Taiwan, and Antidumping Duty Orders,* 82 FR 24096, 24098 (May 25, 2017).

[5] For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

[6] *See* Lyman's Letter ''Certain Carbon and Alloy Steel Cut-to-Length Plate from Italy; Lyman Steel Company's Certification of No Sales, Shipments, or Entries,'' dated July 28, 2021.

[7] *See* Memorandum, ''Certain Carbon and Alloy Steel Cut-to-Length Plate from Italy (A–475–834),'' dated September 80, 2021.

[8] *See, e.g., Certain Frozen Warmwater Shrimp from Thailand; Preliminary Results of Antidumping Duty Administrative Review, Partial Rescission of Review, Preliminary Determination of No Shipments; 2012–2013,* 79 FR 15951, 15952 (March 24, 2014), unchanged in *Certain Frozen Warmwater Shrimp from Thailand: Final Results of Antidumping Duty Administrative Review, Final Determination of No Shipments, and Partial Rescission of Review; 2012–2013,* 79 FR 51306 (August 28, 2014).

individual examination in an administrative review. Under section 735(c)(5)(A) of the Act, the all-others rate is normally an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding rates that are zero, *de minimis* (*i.e.,* less than 0.5 percent), or determined entirely on the basis of facts available.

Consistent with section 735(c)(5)(A) of the Act, we determined the weighted-average dumping margin for each of the non-selected companies by using the weighted-average dumping margins calculated for NVR and OTS in this administrative review.[9]

Verification

As provided in section 782(i)(3) of the Act, Commerce intends to verify the information relied upon in making its final results of the review.

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[10] Case briefs or other written comments may be submitted to Commerce. A timeline for the submission of case briefs and written comments will be provided to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the time limit for filing case briefs.[11] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[12] Case and rebuttal briefs should be filed using ACCESS.[13]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days after the date of publication of this notice.[14] Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.[15] Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[16]

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless otherwise extended.[17]

Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and CBP shall assess, antidumping duties on all appropriate entries.[18]

Pursuant to 19 CFR 351.212(b)(1), where the respondent reported the entered value of its U.S. sales, we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of the sales for which entered value was reported. Where the respondent did not report entered value or reported amounts based on estimated sales data, we calculated the entered value in order to calculate the assessment rate. Where either the respondent's weighted-average dumping margin is zero or *de minimis,* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For the companies that were not selected for individual review, we will assign an assessment rate based on the average of the cash deposit rates calculated for NVR and OTS, excluding any rates that are zero, *de minimis,* or determined entirely based on adverse facts available. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

Commerce's ''automatic assessment'' will apply to entries of subject merchandise during the POR produced by companies included in the final results of this review for which the reviewed companies did not know that the merchandise they sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[19]

Further, if we continue to find in the final results that Lyman had no shipments of subject merchandise during the POR, we will instruct CBP to liquidate any suspended entries that entered under its AD case number (*i.e.,* at that exporter's rate) at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the exporters listed above will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for companies not participating in this review, the cash deposit rate will continue to be the company-specific

[9] For more information regarding the calculation of this margin, *see* Memorandum, ''Calculation of the Cash Deposit Rate for Non-Reviewed Companies,'' dated concurrently with this notice. As the weighting factor, we relied on the publicly ranged sales data reported in the quantity and value charts submitted by NVR and OTS.

[10] *See* 19 CFR 351.224(b).

[11] Commerce is exercising its discretion, under 19 CFR 351.309(d)(1), to alter the time limit for filing of rebuttal briefs.

[12] *See* 19 CFR 351.309(c)(2) and (d)(2).

[13] *See* 19 CFR 351.303.

[14] *See* 19 CFR 351.310(c).

[15] *See* 19 CFR 351.310(d).

[16] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[17] *See* Section 751(a)(3)(A) of the Act.

[18] *See* 19 CFR 351.212(b).

[19] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

cash deposit rate published for the most recently completed segment; (3) if the exporter is not a firm covered in this review or the original less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 6.08 percent, the all-others rate established in the LTFV investigation.[20] These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification to Interested Parties

We are issuing and publishing these preliminary results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 31, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Preliminary Determination of No Shipments
V. Companies Not Selected for Individual Examination
VI. Discussion of the Methodology
VII. Currency Conversion
VIII. Recommendation

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[20] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–863]

Large Diameter Welded Pipe From Canada: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Administrative Review; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) is conducting an administrative review of the antidumping duty (AD) order on large diameter welded pipe (welded pipe) from Canada. The period of review (POR) is May 1, 2020, through April 30, 2021. The review covers 46 producers or exporters of the subject merchandise including the sole mandatory respondent, Evraz. We preliminarily determine that Evraz made sales of subject merchandise at prices below normal value (NV) during the POR. We are also rescinding this administrative review for 42 companies for which this review was initiated. Interested parties are invited to comment on these preliminary results.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Irene Gorelik or Patrick Crotty, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6905 or (202) 482–0568, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 2, 2019, Commerce published the AD order on welded pipe from Canada.[1] On July 10, 2020, in accordance with 19 CFR 351.221(c)(i), Commerce initiated an administrative review of the *Order,* covering 46 producers or exporters of the subject merchandise.[2] On August 10, 2021, we selected Evraz [3] as the sole mandatory respondent in this administrative review.[4] Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), Commerce determined that it was not practicable to complete the preliminary results of this review within 245 days, and extended the deadline for the preliminary results of this review by 100 days, until May 11, 2022.[5] Subsequently, Commerce extended the deadline for the preliminary results by an additional 16 days, until May 27, 2022.[6]

For a detailed description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[7] A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix I to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Scope of the Order

The product covered by the *Order* is welded pipe from Canada. For a full description of the scope of the *Order, see* the Preliminary Decision Memorandum.

Partial Rescission of Review

On October 4, 2021, the Domestic Interested Party [8] filed a timely letter withdrawing its review request for all companies that it had requested.[9] Commerce notes that the Domestic Interested Party requested review of Canadian National Steel Corp.; Evraz Inc. NA; Evraz Inc. NA Canada; and The Canadian National Steel Corporation.[10]

[1] *See Large Diameter Welded Pipe from Canada: Antidumping Duty Order,* 84 FR 18775 (May 2, 2019) (*Order*).

[2] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 35481 (July 6, 2021) (*Initiation Notice*).

[3] In the underlying investigation, Commerce treated Evraz Inc. NA, Evraz Inc. NA Canada, and the Canadian National Steel Corporation (collectively, Evraz) as a single entity. *See Order.* There is no information on the record of this administrative review that indicates a change would be warranted of this single entity determination.

[4] *See* Memorandum, ''Respondent Selection,'' dated August 10, 2021.

[5] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated January 3, 2022.

[6] *See* Memorandum, ''Extension of Deadline for Preliminary Results of Antidumping Duty Administrative Review,'' dated April 25, 2022.

[7] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Large Diameter Welded Pipe from Canada; 2020–2021,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[8] The Domestic Interested Party is the American Line Pipe Producers Association Trade Committee.

[9] *See* Domestic Interested Party's Letter, ''Withdrawal of Review Request,'' dated October 4, 2021.

[10] *See* Domestic Interested Party's Letter, ''Request for Administrative Review,'' dated June 1,

Continued

However, because Evraz did not withdraw its review request, *i.e.,* for Evraz Inc. NA, we will not rescind the review with respect to either Evraz NA Inc. or the other companies requested by the Domestic Interested Party which are part of the Evraz single entity. Therefore, we are rescinding the review with respect to the 42 companies not associated with Evraz and for which all review requests were timely withdrawn.[11]

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in part, if the party that requested the review withdraws its request within 90 days of the publication of the notice of initiation of the requested review. Because all requests for an administrative review of the 42 companies listed in Appendix II were withdrawn by interested parties within 90 days of the date of publication of the *Initiation Notice,* Commerce is rescinding this review with respect to these companies in accordance with 19 CFR 351.213(d)(1).

Methodology

Commerce is conducting this review in accordance with section 751(a) of the Act. Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act. For a full description of the methodology underlying these preliminary results, *see* the Preliminary Decision Memorandum.

Preliminary Results of the Review

We preliminarily determine that the following weighted-average dumping margin exists for the period of May 1, 2020, through April 30, 2021:

Producer/exporter	Weighted-average dumping margin (percent)
Evraz Inc. NA/Evraz Inc. NA Canada/The Canadian National Steel Corporation	1.04

Disclosure and Public Comment

We intend to disclose the calculations performed for these preliminary results to interested parties with an Administrative Protective Order within five days after public announcement of the preliminary results.[12]

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of this notice.[13] Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than seven days after the date for filing case briefs.[14] Parties who submit case or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[15] Executive summaries should be limited to five pages total, including footnotes.

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS, within 30 days after the date of publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a date and time to be determined.

All briefs and hearing requests must be filed electronically using ACCESS[16] and must be served on interested parties.[17] An electronically-filed document must be received successfully in its entirety by ACCESS by 5 p.m. Eastern Time on the due date. Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.[18]

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protection (CBP) shall assess, ADs on all appropriate entries of subject merchandise covered by this review.

For the 42 companies for which Commerce is rescinding this review, as described above, Commerce will instruct CBP to assess ADs on all appropriate entries at a rate equal to the cash deposit rate of estimated ADs required at the time of entry, or withdrawal from warehouse, for consumption, during the period May 1, 2020, through April 30, 2021, in accordance with 19 CFR 351.212(c)(1)(i). Commerce intends to issue appropriate assessment instructions to CBP no earlier than 35 days after the date of publication of this notice in the **Federal Register**, in accordance with 19 CFR 356.8(a).

For the remaining entity subject to this review (*i.e.,* Evraz), Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**, in accordance with 19 CFR 356.8(a). Because Evraz reported that it is the importer of record for all its U.S. sales and Evraz reported the entered value of those sales,[19] if Evraz's weighted-average dumping margin is not zero or *de minimis* (*i.e.,* less than 0.50 percent), then upon completion of the final results, Commerce will calculate importer-specific *ad valorem* AD assessment rates based on the ratio of the total amount of dumping calculated for the examined sales to the total entered value of those sales. If Evraz's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or the importer-specific assessment rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to ADs.[20]

Commerce's ''automatic assessment'' practice will apply to entries of subject merchandise during the POR produced by Evraz for which the company did not know that the merchandise it sold to the

2021. We note that Canadian National Steel Corp. listed separately in the Domestic Interested Party's review request is an abbreviated form of The Canadian National Steel Corporation, one of the companies within the Evraz single entity, as the Domestic Interested Party provides the same address for both names.

[11] *See* Appendix II.

[12] *See* 19 CFR 351.224(b).

[13] *See* 19 CFR 351.309(c)(1)(ii).

[14] *See* 19 CFR 351.309(d)(1) and (2).

[15] *See* 19 CFR 351.309(c)(2) and (d)(2).

[16] *See* 19 CFR 351.303.

[17] *See* 19 CFR 351.303(f).

[18] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[19] *See* Evraz's Letter, ''Response to Initial Questionnaire Sections B–D,'' dated October 7, 2021, at C–62.

[20] *See* 19 CFR 352.106(c)(2); *see also Antidumping Proceeding: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings; Final Modification,* 77 FR 8101, 8103 (February 14, 2012).

intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[21]

The final results of this review shall be the basis for the assessment of ADs on entries of merchandise covered by the final results of this review and for future cash deposits of estimated ADs, where applicable.[22]

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for Evraz will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not covered in this review, including the 42 companies for which Commerce is rescinding this review, the cash deposit rate will continue to be the company-specific rate published for the most recently-completed segment of this proceeding in which the company was reviewed; (3) if the exporter is not a firm covered in this review or in the less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the company-specific rate established for the most recently-completed segment of this proceeding for the producer of subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 12.32 percent, the all-others rate established in the LTFV investigation.[23]

These cash deposit requirements, when imposed, shall remain in effect until further notice.

Final Results of Review

Unless otherwise extended, Commerce intends to issue the final results of this administrative review, including the results of our analysis of issues raised by the parties in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of ADs prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of ADs occurred and the subsequent assessment of doubled ADs.

Notification to Interested Parties

These preliminary results are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 27, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix I

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Partial Rescission of Review
V. Discussion of the Methodology
VI. Currency Conversion
VII. Recommendation

Appendix II

Companies Rescinded From Review

1. Acier Profile SBB Inc
2. Aciers Lague Steels Inc
3. Amdor Inc
4. Armtec-Canada Culvert
5. BPC Services Group
6. Bri-Steel Manufacturing
7. Canada Culvert
8. Canam (St Gedeon)
9. Canam Group Inc.
10. Cappco Tubular Products Canada Inc
11. CFI Metal Inc
12. Dominion Pipe & Piling
13. Enduro Canada Pipeline Services
14. Fi Oilfield Services Canada
15. Forterra
16. Gchem Ltd
17. Graham Construction
18. Groupe Fordia Inc
19. Grupo Fordia Inc
20. Hodgson Custom Rolling
21. Hyprescon Inc
22. Interpipe Inc
23. K K Recycling Services
24. Kobelt Manufacturing Co
25. Labrie Environment
26. Les Aciers Sofatec
27. Lorenz Conveying P
28. Lorenz Conveying Products
29. Matrix Manufacturing
30. MBI Produits De Forge
31. Nor Arc
32. Peak Drilling Ltd
33. Pipe & Piling Sply Ltd
34. Pipe & Piling Supplies
35. Prudental
36. Prudential
37. Shaw Pipe Protecction
38. Shaw Pipe Protection
39. Tenaris Algoma Tubes Facility
40. Tenaris Prudential
41. Welded Tube of Can Ltd
42. WGI Westman Group Inc.

[FR Doc. 2022–12083 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–DS–P

[21] *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[22] *See* section 751(a)(2)(C) of the Act.

[23] *See Order.*

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–871]

Finished Carbon Steel Flanges From India: Notice of Initiation and Preliminary Results of Changed Circumstances Review

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: In response to a request for a changed circumstances review (CCR), the U.S. Department of Commerce (Commerce) is initiating a CCR of the antidumping duty (AD) order on finished carbon steel flanges (flanges) from India. We preliminarily determine that BFN Forgings Private Limited (BFN) is the successor-in-interest to Bebitz Flanges Works Private Limited (Bebitz). Interested parties are invited to comment on these preliminary results.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: James R. Hepburn or Fred Baker, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–4885 and (202) 482–2924, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 24, 2017, Commerce published the AD order on flanges from India in the **Federal Register**.[1] In the most recent administrative review of the *Order* covering the period August 1, 2019, through July 31, 2020, Bebitz was assigned the cash deposit rate of 0.00 percent as a company not selected for individual review.[2]

On April 14, 2022, BFN requested that Commerce conduct an expedited CCR to

[1] *See Finished Carbon Steel Flanges from India and Italy: Antidumping Duty Orders,* 82 FR 40136 (August 24, 2017) (*Order*).

[2] *See Finished Carbon Steel Flanges from India: Final Results of Antidumping Duty Administrative Review; 2019–2020,* 87 FR 13701, 13703 (March 10, 2022).

find that BFN is the successor-in-interest to Bebitz.[3] In its submission, BFN addressed the factors Commerce analyzes with respect to successor-in-interest determinations in the AD context and provided supporting documentation.[4] Commerce received no comments from interested parties on BFN's CCR Request.

Scope of the Order

The merchandise covered by the *Order* is flanges from India. For a full description of the merchandise covered by the scope of the *Order, see* the Preliminary Decision Memorandum.[5]

Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216, Commerce will conduct a CCR upon receipt of a request from an interested party for a review of an AD order which shows changed circumstances sufficient to warrant a review of the order.[6] The information submitted by BFN supporting its claim that BFN is the successor-in-interest to Bebitz demonstrates changed circumstances sufficient to initiate a review.[7]

The information submitted by BFN demonstrates that its request is based solely on a change in the name of the company from ''Bebitz Flanges Works Private Limited'' to ''BFN Forgings Private Limited,'' effective August 14, 2020.[8] Moreover, the evidence submitted in support of BFN's request demonstrates that BFN is otherwise the same business entity as Bebitz. Therefore, in accordance with the regulation referenced above, Commerce is initiating a CCR to determine whether BFN is the successor-in-interest to Bebitz.

Preliminary Results of Changed Circumstances Review

When Commerce concludes that expedited action is warranted, it may publish the notice of initiation and preliminary results of a CCR concurrently.[9] Commerce has combined the notice of initiation and preliminary results in successor-in-interest cases when sufficient documentation has been provided supporting the request to make a preliminary determination.[10] In this instance, because we have information on the record to support the request for a preliminary determination and no other interested party comments, we find that expedited action is warranted, and we are combining the notice of initiation and the notice of preliminary results of review, in accordance with 19 CFR 351.221(c)(3)(ii).

In a CCR, we generally consider a company to be the successor to another company for AD cash deposit purposes if the operations of the successor are not materially dissimilar from those of its predecessor.[11] In making this determination, Commerce examines a number of factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) suppliers; and (4) customer base.[12] While no single factor or combination of factors is dispositive, Commerce will generally consider one company to be the successor to another if its resulting operations are essentially the same as that of its predecessor.[13] Thus, if the evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the prior company, Commerce will assign the new company the cash deposit rate of its predecessor.[14]

In its CCR request, BFN provided evidence demonstrating that BFN's operations are not materially dissimilar from those of Bebitz. Based on the record, we preliminarily determine that BFN is the successor-in-interest to Bebitz. For a complete discussion of the information that BFN provided, including business proprietary information, and the complete successor-in-interest analysis, *see* the Preliminary Decision Memorandum.[15] A list of topics discussed in the Preliminary Decision Memorandum is included as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx.*

Public Comment

Any interested party may request a hearing within 14 days of publication of this notice, in accordance with 19 CFR 351.310(c).[16] Interested parties may submit case briefs no later than 14 days after the date of publication of this notice.[17] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the deadline for case briefs, in accordance with 19 CFR 351.309(d). Parties who submit case or rebuttal briefs in this CCR are requested to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[18] All comments are to be filed electronically using ACCESS, and must also be served on interested parties. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the day it is due.[19] Note that Commerce has temporarily modified certain requirements for serving documents containing business proprietary information, until further notice.[20]

Consistent with 19 CFR 351.216(e), we will issue the final results of this CCR no later than 270 days after the date on which this review was initiated, or within 45 days of publication of these preliminary results if all parties agree to the preliminary finding.

Notification to Interested Parties

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1)

[3] *See* BFN's Letter, ''Finished Carbon Steel Flanges from India: Request for an Expedited Successor-in-Interest Changed Circumstances Review,'' dated April 14, 2022 (CCR Request).

[4] *Id.*

[5] *See* Memorandum, ''Finished Carbon Steel Flanges from India: Initiation and Preliminary Results of the Changed Circumstances Review,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[6] *See* 19 CFR 351.216(c).

[7] *See* 19 CFR 351.216(d).

[8] *See* CCR Request at 3.

[9] *See* 19 CFR 351.221(c)(3)(ii).

[10] *See, e.g., Certain Frozen Freshwater Shrimp from India: Notice of Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review,* 85 FR 57192 (September 15, 2020) (*Hyson CCR Initiation and Preliminary Results*), unchanged in *Certain Frozen Freshwater Shrimp from India: Notice of Final Results of Antidumping Duty Changed Circumstances Review,* 85 FR 70584 (November 5, 2020) (*Hyson CCR Final Results*).

[11] *Id.*

[12] *See, e.g., Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from Turkey: Notice of Initiation and Preliminary Results of Changed Circumstances Review,* 86 FR 70443 (December 10, 2021) at 86 FR 70444; unchanged in *Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from Turkey: Final Results of Changed Circumstances Review,* 87 FR 3763 (January 25, 2022).

[13] *Id.*

[14] *See, e.g., Hyson CCR Initiation and Preliminary Results,* unchanged in *Hyson CCR Final Results.*

[15] *See* Preliminary Decision Memorandum.

[16] Commerce is exercising its discretion under 19 CFR 351.310(c) to alter the time limit for requesting a hearing.

[17] Commerce is exercising its discretion under 19 CFR 351.309(c)(1)(ii) to alter the time limit for the filing of case briefs.

[18] *See* 19 CFR 351.309(c)(2) and (d)(2).

[19] *See* 19 CFR 351.303(b).

[20] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID–19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

and 777(i) of the Act and 19 CFR 351.216 and 351.221(c)(3).

Dated: May 27, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in Preliminary Decision Memorandum

I. Background
II. Scope of the *Order*
III. Initiation And Preliminary Results of the Changed Circumstances Review
IV. Successor-in-Interest Determination
V. Recommendation

[FR Doc. 2022–12084 Filed 6–3–22; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–869]

Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan: Preliminary Results of Antidumping Duty Administrative Review; 2020–2021

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that Toyo Kohan Co., Ltd. (Toyo Kohan), the sole producer and/or exporter subject to this administrative review, made sales of diffusion-annealed, nickel-plated flat-rolled steel products (nickel-plated steel products) from Japan at less than normal value (NV) during the period of review (POR) May 1, 2020, through April 30, 2021.

DATES: Applicable June 6, 2022.

FOR FURTHER INFORMATION CONTACT: Amaris Wade, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–6334.

SUPPLEMENTARY INFORMATION:

Background

On July 6, 2021, based on timely requests for review, in accordance with 19 CFR 351.221(c)(1)(i), we initiated an administrative review on nickel-plated steel products from Japan.[1] This review covers one producer/exporter of the subject merchandise, Toyo Kohan.

In January 2021, Commerce extended the preliminary results of this review to no later than May 31, 2022.[2] For a complete description of the events that followed the initiation of this review, *see* the Preliminary Decision Memorandum.[3]

Scope of the Order

The merchandise subject to the *Order* is diffusion-annealed, nickel-plated flat-rolled steel products from Japan. For a complete description of the scope of the *Order, see* Preliminary Decision Memorandum.

Methodology

Commerce is conducting this review in accordance with sections 751(a)(1)(B) and (2) of the Tariff Act of 1930, as amended (the Act). Export price is calculated in accordance with section 772 of the Act. NV is calculated in accordance with section 773 of the Act.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. A list of the topics discussed in the Preliminary Decision Memorandum is attached as the appendix to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at *https://access.trade.gov.* In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at *https://access.trade.gov/public/FRNoticesListLayout.aspx/.*

Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists for the period May 1, 2020, through April 30, 2021:

Producer/exporter	Weighted-average dumping margin (percent)
Toyo Kohan Co., Ltd	1.92

Disclosure and Public Comment

Commerce intends to disclose the calculations performed in connection with these preliminary results to interested parties within five days after the date of publication of this notice.[4] Interested parties may submit case briefs to Commerce no later than 30 days after the date of publication of this notice.[5] Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than seven days after the deadline for filing case briefs.[6] Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.[7] Case and rebuttal briefs should be filed using ACCESS.[8]

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically via ACCESS within 30 days after the date of publication of this notice.[9] Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, parties will be notified of the time and date for the hearing.[10] An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

Commerce intends to issue the final results of this administrative review, including the results of its analysis of issues raised in any written briefs, not later than 120 days after the date of publication of this notice, unless otherwise extended.[11]

Assessment Rates

Upon completion of the administrative review, Commerce shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries.[12]

Pursuant to 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of dumping

[1] *See Initiation of Antidumping and Countervailing Duty Administrative Reviews,* 86 FR 35481 (July 6, 2021) (*Initiation Notice*).

[2] *See* Memorandum, ''Extension of Deadline for Preliminary Results of 2020–2021 Antidumping Duty Administrative Review,'' dated January 12, 2022.

[3] *See* Memorandum, ''Decision Memorandum for the Preliminary Results of the 2020–2021 Administrative Review of the Antidumping Duty Order on Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan,'' dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

[4] *See* 19 CFR 351.224(b).

[5] *See* 19 CFR 351.309(c).

[6] *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID19; Extension of Effective Period,* 85 FR 41363 (July 10, 2020).

[7] *See* 19 CFR 351.309(c)(2) and (d)(2).

[8] *See* 19 CFR 351.303.

[9] *See* 19 CFR 351.310(c).

[10] *See* 19 CFR 351.310(d).

[11] *See* section 751(a)(3)(A) of the Act; *see also* 19 CFR 351.213(h).

[12] *See* 19 CFR 351.212(b).

calculated for the examined sales to the total entered value of the sales for which entered value was reported. Where either the respondent's weighted-average dumping margin is zero or *de minimis* within the meaning of 19 CFR 351.106(c)(1), or an importer-specific rate is zero or *de minimis,* we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.[13]

Commerce's ''automatic assessment'' will apply to entries of subject merchandise during the POR produced by Toyo Kohan for which Toyo Kohan did not know that the merchandise it sold to the intermediary (*e.g.,* a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.[14]

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.,* within 90 days of publication).

Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the companies listed above will be equal to the weighted-average dumping margin established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not covered in this review, the cash deposit rate will continue to be the company-specific cash deposit rate published for the most recently completed segment in which the company was reviewed; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the producer is, then the cash deposit rate will be the cash deposit rate established for the most recently completed segment of this proceeding for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 45.42 percent, the all-others rate established in the LTFV investigation.[15] These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

Notification to Interested Parties

Commerce is issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(4).

Dated: May 27, 2022.

Lisa W. Wang,

Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

I. Summary
II. Background
III. Scope of the *Order*
IV. Discussion of the Methodology
V. Currency Conversion
VI. Recommendation

[FR Doc. 2022–12085 Filed 6–3–22; 8:45 am]

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[13] *See* section 751(a)(2)(C) of the Act.

[14] For a full discussion of this practice, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties,* 68 FR 23954 (May 6, 2003).

[15] *See Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan: Antidumping Duty Order,* 79 FR 30816 (May 29, 2014).

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Manufacturing Extension Partnership Advisory Board

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of partially closed meeting.

SUMMARY: The National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership (MEP) Advisory Board will meet on Wednesday, June 8, 2022 from 9:00 a.m. to 3:00 p.m. Central Time. The meeting is partially closed to the public in order to protect the confidential and proprietary data to be examined and discussed at the meeting.

DATES: The MEP Advisory Board will meet on Wednesday, June 8, 2022, from 9:00 a.m. to 3:00 p.m. Central Time. The portion of the meeting that is closed to the public will take place on Wednesday, June 8, 2022 from 11:30 a.m. to 1:00 p.m. Central Time.

ADDRESSES: The meeting will be held at the Hyatt Regency Tulsa Downtown, 100 East Second Street, Tulsa, Oklahoma 74103. Please note admittance instructions in the **SUPPLEMENTARY INFORMATION** section below. This meeting could switch to a virtual format. Interested parties should be sure to check the NIST MEP Advisory Board website for the most up-to-date information at *http://www.nist.gov/mep/about/advisory-board.cfm.* Everyone who registers and provides contact information will receive notice if there is a change to the meeting venue from in-person to virtual.

FOR FURTHER INFORMATION CONTACT: Cheryl L. Gendron, Manufacturing Extension Partnership, National Institute of Standards and Technology, 100 Bureau Drive, Mail Stop 4800, Gaithersburg, Maryland 20899–4800; telephone number (301) 975–2785; email: *cheryl.gendron@nist.gov.*

SUPPLEMENTARY INFORMATION: The MEP Advisory Board is authorized under Section 3003(d) of the America COMPETES Act (Pub. L. 110–69), as amended by the American Innovation and Competitiveness Act, Public Law 114–329 sec. 501 (2017), and codified at 15 U.S.C. 278k(m). The Hollings Manufacturing Extension Partnership Program (Program) is a unique program consisting of Centers in all 50 states and Puerto Rico with partnerships at the federal, state, and local levels. By statute, the MEP Advisory Board provides the NIST Director with: (1)

advice on the activities, plans and policies of the Program; (2) assessments of the soundness of the plans and strategies of the Program; and (3) assessments of current performance against the plans of the Program.

Background information on the MEP Advisory Board is available at *http://www.nist.gov/mep/about/advisory-board.cfm.*

Pursuant to the Federal Advisory Committee Act, as amended, 5 U.S.C. app., notice is hereby given that the MEP Advisory Board will meet on Wednesday, June 8, 2022 from 9:00 a.m. to 3:00 p.m. Central Time. The meeting will be open to the public except for the closed session. The public portion of the meeting will include an update on MEP programmatic operations, as well as a discussion on current activities related to the MEP National Network™ 2017–2022 Strategic Plan. During the closed session on Wednesday, June 8, 2022 from 11:30 a.m. to 1:00 p.m. Central Time the MEP Advisory Board will discuss the status of developing the MEP National Network™ 2023–2028 Strategic Plan.

The agenda may change to accommodate committee business. The final agenda will be posted on the MEP Advisory Board website at *http://www.nist.gov/mep/about/advisory-board.cfm.*

Individuals and representatives of organizations who would like to offer comments and suggestions related to the MEP Advisory Board's business are invited to request a place on the agenda. Approximately 15 minutes will be reserved for public comments at the end of the meeting. Speaking times will be assigned on a first-come, first-served basis. The amount of time per speaker will be determined by the number of requests received but is likely to be no more than three to five minutes each. Requests must be submitted by email to *cheryl.gendron@nist.gov* and must be received by June 6, 2022 to be considered. The exact time for public comments will be included in the final agenda that will be posted on the MEP Advisory Board website at *http://www.nist.gov/mep/about/advisory-board.cfm.* Questions from the public will not be considered during this period. Speakers who wish to expand upon their oral statements, those who wished to speak but could not be accommodated on the agenda or those who are/were unable to attend the meeting are invited to submit written statements electronically by email to *cheryl.gendron@nist.gov.*

The Acting Chief Financial Officer and Assistant Secretary for Administration, with the concurrence of the Assistant General Counsel for Employment, Litigation, and Information, formally determined, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government in the Sunshine Act, Public Law 94–409, that the meeting of the MEP Advisory Board may be partially closed to the public in accordance with 5 U.S.C. 552b(c)(4), because the meeting is likely to disclose trade secrets and commercial or financial information obtained from a person and that are privileged or confidential. During the closed session, the Board will receive an update and initial findings from data analysis that was used to draft the MEP National Network™ 2023–2028 Strategic Plan, which contains confidential and proprietary information. The data analyzed includes Personally Identifiable Information (PII) and Business Identifiable Information (BII) from MEP Centers' clients as well as additional confidential material that is managed by an independent third party for privacy and proprietary sensitivities. This data has been used to provide vital criterion and selection of an architecture for the new 2023–2028 strategic plan.

Pursuant to 41 CFR 102–3.150(b), the **Federal Register** notice for this meeting is being published fewer than 15 calendar days prior to the meeting as exceptional circumstances exist. It is imperative that the meeting be held on June 8, 2022 to accommodate the scheduling priorities of the key participants. In addition, MEP did not become aware until recently that they would need to discuss the MEP National Network™ 2023–2028 Strategic Plan at the June 2022 MEP Advisory Board Meeting, which necessitated commencing meeting closure procedures in accordance with 41 CFR 102–3.155; the original anticipate date for the discussion was August 2022. The **Federal Register** notice could not be published previously due to the need to accommodate the key participants' schedules, as well as the logistical and scheduling challenges of arranging for an in-person meeting as well as potential virtual options due to the COVID–19 pandemic.

Admittance Instructions: Anyone wishing to attend the MEP Advisory Board meeting must submit their name, email address and phone number to Cheryl Gendron (*Cheryl.Gendron@nist.gov* or 301–975–2785) no later than Monday, June 6, 2022, 5:00 p.m. Eastern Time.

Alicia Chambers,

Executive Secretariat.

[FR Doc. 2022–12130 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–13–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC079]

Fisheries of the Exclusive Economic Zone Off Alaska; Request for Information on Bristol Bay Red King Crab Mortality Mitigation Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification; Request for Information (RFI).

SUMMARY: The North Pacific Fishery Management Council (Council) is requesting information from the public on ways to reduce fishing related mortality for Bristol Bay red king crab (BBRKC). Information from commercial fishing sectors is critical to that effort and, therefore, the Council is seeking public input. This notice invites the public to submit written comments on the topic generally and in response to specific questions outlined below.

DATES: Comments must be received via the Council's eAgenda meeting portal by 5 p.m. AKT on September 23, 2022 at *https://meetings.npfmc.org/Meeting/Details/2941.*

ADDRESSES: Please submit written comments to the Council's' eAgenda meeting portal, at ''Bristol Bay Red King Crab—Request for Information (RFI)'': *https://meetings.npfmc.org/Meeting/Details/2941* by the September 23, 2022, deadline.

Council address: North Pacific Fishery Management Council, 1007 W 3rd Ave., Anchorage, AK 99501–2252; telephone: (907) 271–2809.

FOR FURTHER INFORMATION CONTACT: Sam Cunningham, Council staff; email: *sam.cunningham@noaa.gov;* telephone: (907) 271–2809.

SUPPLEMENTARY INFORMATION:

Background

The results of the 2021 eastern Bering Sea bottom trawl survey continued a trend of overall decreasing BBRKC biomass. This trend is primarily driven by a decrease in mature female red king crab abundance. While the abundance of female red king crab has been low in

recent years, 2021 was the first year since 1995 that the mature female red king crab abundance fell below the established threshold in the State of Alaska's harvest strategy to hold a directed fishery. As a result, the directed BBRKC fishery was closed for the 2021/22 season. To better understand the decline of BBRKC and scope potential management actions that are within the Council's authority, the Council has reviewed an analysis of trawl gear crab prohibited species catch limits (February 2021) and an emergency rule analysis to expand the Red King Crab Savings Area (RKCSA) in the Bering Sea (December 2021). In April 2022, the Council reviewed a discussion paper addressing an array of topics including red king crab biology, existing management and stock assessment boundaries, seafloor contact by pelagic trawl gear, and flexible spatial management tools used in other fisheries. At its April 2022 meeting, the Council both initiated this RFI and tasked Council and NMFS staff to produce an expanded discussion paper that is fully described in the April 9, 2022, motion linked below. That paper will consider annual or seasonal gear closures to the RKCSA, provide data on BBRKC mortality, identify information that would be needed to implement dynamic time/area closures that could protect mature female BBRKC, assess available information on groundfish predation on BBRKC, and analyze the impacts of limiting groundfish pot gear activity.

Request for Information

This notice requests comment on the motion put forward by the Council on April 9, 2022, which can be viewed at *https://tinyurl.com/D1BBRKCcouncilmotion4-9-22.* In particular, the Council wishes to hear from Bering Sea commercial fishery sectors that may cause BBRKC mortality, including both directed crab fishing and directed groundfish fishing where red king crab are encountered. See **ADDRESSES** for information on how to submit comments.

The scope of public comments is not limited, but questions that may be considered include:

1. Voluntary measures for implementation in 2023 and beyond to avoid BBRKC and reduce crab mortality in the non-directed fisheries;

2. Measures in the directed crab fishery to reduce discard mortality of BBRKC;

3. Description of research that would inform development of more flexible and effective spatial management measures; gear modifications to reduce impacts on the BBRKC stock, or to evaluate unobserved mortality in the trawl sector.

The Council will review comments submitted in response to this request for information at the October 2022 Council meeting, which is scheduled to begin on October 3, 2022. The schedule and agenda will be available prior to that meeting. All responses to this request for information will be posted and publicly available on the Council agenda for the October 2022 meeting.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 1, 2022.

Jennifer M. Wallace,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–12135 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648–XC056]

Mid-Atlantic Fishery Management Council (MAFMC); Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council's (MAFMC) Bluefish Advisory Panel will hold a public meeting, jointly with the Atlantic States Marine Fisheries Commission (ASMFC) Bluefish Advisory Panel.

DATES: The meeting will be held on Wednesday, June 22, 2022, from 5 p.m. to 6 p.m. For agenda details, see **SUPPLEMENTARY INFORMATION**.

ADDRESSES: The meeting will be held via webinar. Webinar connection, agenda items, and any additional information will be available at *www.mafmc.org/council-events.*

Council address: Mid-Atlantic Fishery Management Council, 800 N State Street, Suite 201, Dover, DE 19901; telephone: (302) 674–2331 or on their website at *www.mafmc.org.*

FOR FURTHER INFORMATION CONTACT: Christopher M. Moore, Ph.D., Executive Director, Mid-Atlantic Fishery Management Council, telephone: (302) 526–5255.

SUPPLEMENTARY INFORMATION: The purpose of this meeting is for the Advisory Panel to develop a fishery performance report (FPR). The intent of the FPR is to facilitate a venue for structured input from the Advisory Panel for the bluefish specifications process. The FPR will be used by the MAFMC's Scientific and Statistical Committee (SSC) and the Bluefish Monitoring Committee (MC) when reviewing 2023 management measures designed to achieve the recommended bluefish catch and landings limits.

Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Shelley Spedden at the Council Office, (302) 526–5251, at least 5 days prior to the meeting date.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: June 1, 2022.

Tracey L. Thompson,

Acting Deputy Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 2022–12057 Filed 6–3–22; 8:45 am]

BILLING CODE 3510–22–P

BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB–2022–0035]

Agency Information Collection Activities: Submission for OMB Review: Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the Consumer Financial Protection Bureau (CFPB or Bureau) is requesting Office of Management and Budget's (OMB's) approval of a generic Information Collection titled, ''Making Ends Meet Survey,'' under the Generic Information Collection Plan entitled, ''Generic Information Collection Plan for Surveys Using the Consumer Credit Panel.''

DATES: Written comments are encouraged and must be received on or before July 6, 2022 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. In general, all comments received will become public records, including any personal information provided. Sensitive

personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Documentation prepared in support of this information collection request is available at *www.reginfo.gov (this link becomes active on the day following publication of this notice).* Select ''Information Collection Review,'' under ''Currently Under Review,'' use the dropdown menu ''Select Agency'' and select ''Consumer Financial Protection Bureau'' (recent submissions to OMB will be at the top of the list). The same documentation is also available at *http://www.regulations.gov.* Requests for additional information should be directed to Anthony May, Paperwork Reduction Act Officer, at (202) 841–0544, or email: *CFPB_PRA@cfpb.gov.* If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov.* Please do not submit comments to these email boxes.

SUPPLEMENTARY INFORMATION:

Title of Collection: Making Ends Meet Survey.

OMB Control Number: 3170–0066.

Type of Review: Request for approval of a generic information collection under an existing Generic Information Collection Plan.

Affected Public: Individuals or households.

Estimated Number of Respondents: 4,250.

Estimated Total Annual Burden Hours: 1,263.

Abstract: Under the Dodd-Frank Wall Street Reform and Consumer Protection Act, the Consumer Financial Protection Bureau is charged with researching, analyzing, and reporting on topics relating to the Bureau's mission, including consumer behavior, consumer awareness, and developments in markets for consumer financial products and services. To improve its understanding of how consumers engage with financial markets, the Bureau has successfully used the Consumer Credit Panel (CCP), a proprietary sample dataset from one of the national credit reporting agencies, as a frame to survey people about their experiences in consumer credit markets. This series of surveys solicits information on the consumer's experience related to household financial shocks, particularly shocks related to the economic effects of the COVID–19 pandemic, how households respond to those shocks, and the role of savings to help provide a financial buffer. Additional topics in this round of the survey include debt collection, healthcare, housing, and financial decision-making, attitudes, and perspectives. The survey will go to a new random sample of consumers from the CCP. All research under this collection will be related to the household balance sheet, and, thus, will be for general, formative, and informational research on consumer financial markets and consumers' use of financial products and will not directly provide the basis for specific policymaking at the Bureau.

Request for Comments: The Bureau is publishing this notice and soliciting comments directed to the Office of management and Budget on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Bureau, including whether the information will have practical utility; (b) The accuracy of the Bureau's estimate of the burden of the collection of information, including the validity of the methods and the assumptions used; (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and (d) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Comments submitted in response to this notice will be reviewed by OMB as part of its review of this request. All comments will become a matter of public record.

Special Request for Comments: The proposed survey contains more questions than the Bureau intends to mail, the Bureau solicits comments on which questions provide the most value. Comments submitted in response to this notice will be submitted to OMB as part of its review of this request. All comments will become a matter of public record.

Anthony May,

Paperwork Reduction Act Officer, Consumer Financial Protection Bureau.

[FR Doc. 2022–12080 Filed 6–3–22; 8:45 am]

BILLING CODE 4810–AM–P

DEPARTMENT OF ENERGY

Energy Information Administration

Agency Information Collection Extension

AGENCY: U.S. Energy Information Administration (EIA), U.S. Department of Energy (DOE).

ACTION: Notice.

SUMMARY: EIA has submitted an information collection request for extension as required by the Paperwork Reduction Act of 1995. The information collection requests a three-year extension of its Oil and Gas Reserves System Surveys, OMB No. 1905–0057: Extension without changes of Form EIA–64A, *Annual Report of the Origin of Natural Gas Liquids Production;* Revision of Form EIA–23L, *Annual Report of Domestic Oil and Gas Reserves, County Level Report;* and continued suspension of Form EIA–23S, *Annual Survey of Domestic Oil and Gas Reserves, Summary Level Report.* Form EIA–23L is the only form that EIA proposes to change. There are no proposed changes to Forms EIA–64A and EIA–23S. The proposed collection will be used to prepare electronic annual reports of U.S. proved reserves data that fulfill EIA's congressional mandate to provide accurate annual estimates of U.S. proved crude oil and natural gas reserves. The U.S. Government also uses the resulting information in EIA's reports to develop national and regional estimates of proved reserves of domestic crude oil and natural gas to facilitate national energy policy decisions.

DATES: Comments on this information collection must be received no later than July 6, 2022. If you anticipate that you will be submitting comments but find it difficult to do so within the period allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 881–8585.

ADDRESSES: Written comments and recommendations for the information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

The forms and instructions are available on the EIA website at:

Form EIA–23L, *https://www.eia.gov/survey/#eia-23l*

Form EIA–23S, *https://www.eia.gov/survey/#eia-23s*

Form EIA–64A, *https://www.eia.gov/survey/#eia-64a*

FOR FURTHER INFORMATION CONTACT: If you need additional information, contact Steven G. Grape, telephone (202) 586–1868, or by email at *Steven.Grape@eia.gov.*

SUPPLEMENTARY INFORMATION: This information collection request contains:

(1) *OMB No.* 1905–0057;

(2) *Information Collection Request Title:* Oil and Gas Reserves System;

(3) *Type of Request:* Three-year extension with changes; revision of the currently approved Form EIA–23L; extension without changes of Form EIA–64A; and continued suspension of collection of the currently approved Form EIA–23S;

(4) *Purpose:* In response to Public Law 95–91 Section 657, estimates of U.S. oil and gas reserves are to be reported annually. Many U.S. government agencies have an interest in proved oil and gas reserves and the quality, reliability, and usefulness of reserves estimates. Among these are the U.S. Energy Information Administration (EIA), Department of Energy; Bureau of Ocean Energy Management (BOEM), Department of Interior; Internal Revenue Service (IRS), Department of the Treasury; and the Securities and Exchange Commission (SEC). Each of these organizations has specific purposes for collecting, using, or estimating proved reserves. EIA has a congressional mandate to provide accurate annual estimates of U.S. proved crude oil, natural gas, and natural gas liquids reserves, and EIA presents annual reserves data in EIA reports to meet this requirement. The BOEM maintains estimates of proved reserves to carry out their responsibilities in leasing, collecting royalty payments, and regulating the activities of oil and gas companies on Federal lands and water. Accurate reserve estimates are important, as the BOEM is second only to the IRS in generating Federal revenue. For the IRS, proved reserves and occasionally probable reserves are an essential component of calculating taxes for companies owning or producing oil and gas. The SEC requires publicly traded petroleum companies to annually file a reserves statement as part of their 10–K filing. The basic purpose of the 10–K filing is to provide public investors with a clear and reliable financial basis to assess the relative value, as a financial asset, of a company's reserves, especially in comparison to other similar oil and gas companies. The Government also uses the resulting information to develop national and regional estimates of proved reserves of domestic crude oil and natural gas to facilitate national energy policy decisions. These estimates are essential to the development, implementation, and evaluation of energy policy and legislation. Data are used directly in EIA Web reports concerning U.S. crude oil and natural gas reserves, and are incorporated into a number of other Web reports and analyses;

(4a) *Changes to Information Collection:* EIA proposes to make the following changes to Form EIA–23L, *Annual Report of Domestic Oil and Gas Reserves:*

- Schedule A of Form EIA–23L, which collected annual proved reserves and production data for four fuel types (crude oil, associated-dissolved natural gas, non-associated natural gas, and lease condensate) on a county-level basis will be changed to collect annual proved reserves and production data for two fuel types (crude oil plus lease condensate, and total natural gas) on a state/state subdivision-level basis.
- Schedule A of Form EIA–23L, which used three reservoir type codes (C—conventional, LP—low permeability, and SH—shale) to subdivide county-level proved reserves data within Schedule A will be changed to two separate report parts: Parts 4 and 5.
  - Part 4 will list the combined total of annual proved reserves and production data on a state- and state subdivision-level basis
  - Part 5 will separately list that portion of annual proved reserves and production sourced only from shale reservoirs on a state- and state subdivision-level basis.
- A fillable spreadsheet version of the new Form EIA–23L will replace the current PDF version of Form EIA–23L and its E-file software (the Reserves Information Gathering System (RIGS).

Comments and Feedback are requested on these proposed changes to Form EIA–23L;

(5) *Annual Estimated Number of Respondents:* Forms EIA–23L/23S/64A: 1,100;

(6) *Annual Estimated Number of Total Responses:* Forms EIA–23L/23S/64A: 1,100;

(7) *Annual Estimated Number of Burden Hours:* 19,100 hours;

Form EIA–23L *Annual Survey of Domestic Oil and Gas Reserves, State/State Subdivision report:* 31 hours average per response (500 operators): 15,500 hours total.

Form EIA–23S *Annual Survey of Domestic Oil and Gas Reserves, Summary Level Report:* 0 hours (Currently suspended).

Form EIA–64A *Annual Report of the Origin of Natural Gas Liquids Production:* 6 hours (600 natural gas plant operators): 3,600 hours total.

(8) *Annual Estimated Reporting and Recordkeeping Cost Burden:* Forms EIA–23L/23S/64A: EIA estimates that there are no capital and start-up costs associated with this data collection. The information is maintained in the normal course of business. The cost of burden hours to the respondents is estimated to be $1,592,558 (19,100 burden hours times $83.38 per hour). Therefore, other than the cost of burden hours, EIA estimates that there are no additional costs for generating, maintaining and providing the information.

Statutory Authority: 15 U.S.C. 772(b), 42 U.S.C. 7101 *et seq.*

Signed in Washington, DC, on May 31, 2022.

Samson A. Adeshiyan,

Director, Office of Statistical Methods and Research, U.S. Energy Information Administration.

[FR Doc. 2022–12001 Filed 6–3–22; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings

Take notice that the Commission has received the following Natural Gas Pipeline Rate and Refund Report filings:

Filings Instituting Proceedings

Docket Numbers: PR22–47–000.
Applicants: Bay Gas Storage Company, LLC.
Description: § 284.123 Rate Filing: Basy Gas Storage Co. Ltd Change in Circumstances to be effective N/A.
Filed Date: 5/26/22.
Accession Number: 20220526–5234.
Comments/Protests Due: 5 p.m. ET 6/16/22.

Docket Numbers: PR22–48–000.
Applicants: Enstor Katy Storage and Transportation, L.P.
Description: § 284.123 Rate Filing: Enstor Katy Storage Notice of Change in Circumstances to be effective N/A.
Filed Date: 5/26/22.
Accession Number: 20220526–5236.
Comments/Protests Due: 5 p.m. ET 6/16/22.

Docket Numbers: PR22–49–000.
Applicants: Enstor Grama Ridge Storage and Transportation, L.L.C.
Description: § 284.123 Rate Filing: Enstor Grama Ridge Storage Notice in Change in Circumstances to be effective N/A.
Filed Date: 5/26/22.
Accession Number: 20220526–5237.
Comments/Protests Due: 5 p.m. ET 6/16/22.

Docket Numbers: PR22–50–000.
Applicants: Gulf Coast Express Pipeline LLC.
Description: § 284.123(g) Rate Filing: 06.01.2022 Fuel Filing to be effective 6/1/2022.
Filed Date: 5/27/22.
Accession Number: 20220527–5000.
Comments/Protests Due: 5 p.m. ET 6/17/22.

284.123(g) Protests Due: 5 p.m. ET 7/26/22.

Docket Numbers: PR22–51–000.

Applicants: Waha Gas Storage LLC.

Description: Pay fee; use etariff to file of Waha Gas Storage, LLC.

Filed Date: 5/27/22.

Accession Number: 20220527–5173.

Comments/Protests Due: 5 p.m. ET 6/17/22.

Docket Numbers: RP22–933–000.

Applicants: TransColorado Gas Transmission Company LLC.

Description: § 4(d) Rate Filing: Qtrly FL&U Update to be effective 7/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5023.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–934–000.

Applicants: Gulfstream Natural Gas System, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate—Amended Central Fl Gas 9000107 to be effective 6/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5027.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–935–000.

Applicants: Colorado Interstate Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Fuel and Lost Unaccounted For to be effective 7/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5045.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–936–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement Update (SoCal Jun–Aug 2022) to be effective 6/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5112.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–937–000.

Applicants: Wyoming Interstate Company, L.L.C.

Description: § 4(d) Rate Filing: Transportation Agreement Filing (Continental Replacment TSA) to be effective 6/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5120.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–938–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Non-Conforming Agreements Update (SRP) to be effective 6/1/2022.

Filed Date: 5/26/22.

Accession Number: 20220526–5193.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–939–000.

Applicants: Caledonia Energy Partners, L.L.C.

Description: Compliance filing: Caledonia Energy Notice of Change in Circumstances to be effective N/A.

Filed Date: 5/26/22.

Accession Number: 20220526–5235.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–940–000.

Applicants: Freebird Gas Storage, L.L.C.

Description: Compliance filing: Freebird Gas Storage Notice of Change in Circumstances to be effective N/A.

Filed Date: 5/26/22.

Accession Number: 20220526–5239.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–941–000.

Applicants: Mississippi Hub, LLC.

Description: Compliance filing: Mississippi Hub Notice of Change in Circumstances to be effective N/A.

Filed Date: 5/26/22.

Accession Number: 20220526–5240.

Comment Date: 5 p.m. ET 6/7/22.

Docket Numbers: RP22–942–000.

Applicants: Iroquois Gas Transmission System, L.P.

Description: § 4(d) Rate Filing: 5.27.22 Negotiated Rate—Macquarie Energy LLC R–4090–27 to be effective 6/1/2022.

Filed Date: 5/27/22.

Accession Number: 20220527–5029.

Comment Date: 5 p.m. ET 6/8/22.

Docket Numbers: RP22–943–000.

Applicants: El Paso Natural Gas Company, L.L.C.

Description: § 4(d) Rate Filing: Negotiated Rate Agreement Update (Conoco June 22) to be effective 6/1/2022.

Filed Date: 5/27/22.

Accession Number: 20220527–5101.

Comment Date: 5 p.m. ET 6/8/22.

Docket Numbers: RP22–944–000.

Applicants: Transcontinental Gas Pipe Line Company, LLC.

Description: § 4(d) Rate Filing: Negotiated Rates—FTP—LLOG Expl—Who Dat MC 547 to be effective 6/1/2022.

Filed Date: 5/27/22.

Accession Number: 20220527–5161.

Comment Date: 5 p.m. ET 6/8/22.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 31, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–12091 Filed 6–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14655–002]

Cat Creek Energy, LLC; Notice of Intent To File License Application, Filing of Pre-Application Document (Pad), Commencement of ILP Pre-Filing Process, Request for Comments on the Pad and Scoping Document, Identification of Issues and Associated Study Requests, and Virtual Public Scoping Meetings and Virtual Environmental Site Reviews

a. *Type of Filing:* Notice of Intent to File License Application for an Original License, Commencing Pre-filing Process, and Denial of Request to Use the Traditional Licensing Process.

b. *Project No.:* 14655–002.

c. *Dated Filed:* January 3, 2022.

d. *Submitted By:* Cat Creek Energy, LLC (CCE).

e. *Name of Project:* Cat Creek Energy and Water Storage Project (Cat Creek Project).

f. *Location:* On the south side of U.S. Bureau of Reclamation's (Reclamation) Anderson Ranch Reservoir on the South Fork Boise River approximately 25 miles northeast of Mountain Home in Elmore County, Idaho. The project would be located primarily on private land but would also include some federal lands owned and/or administered by Reclamation, the U.S. Forest Service, the Bureau of Land Management, and Bonneville Power Administration.

g. *Filed Pursuant to:* 18 CFR part 5 of the Commission's regulations.

h. *Applicant Contact:* Mr. James Carkulis, Cat Creek Energy, LLC, 398 S 9th Street, Suite 240, Boise, Idaho 83702; phone: (406) 459–3013.

i. *FERC Contact:* Michael Tust, (202) 502–6522, *michael.tust@ferc.gov.*

j. CCE filed its Pre-Application Document (PAD) and request to use the Traditional Licensing Process (TLP) on

January 3, 2022. CCE published public notice of its Notice of Intent to file a license application, PAD, and request to use the TLP on January 12, 2022; however, the notice did not indicate a deadline for stakeholders to submit comments to the Commission. At the direction of Commission staff, CCE again published its notice on January 26, 2022, which included a deadline of February 25, 2022, for submitting comments to the Commission. After reviewing comments submitted by stakeholders, Commission staff denied CCE's request to use the TLP on April 1, 2022. CCE must use the Integrated Licensing Process to prepare a license application for the Cat Creek Project.

k. *Cooperating agencies:* Federal, state, local, and tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should follow the instructions for filing such requests described in item o below. Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. *See* 94 FERC ¶ 61,076 (2001).

l. *With this notice, we are initiating informal consultation with:* (a) The U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 CFR part 402; and (b) the Idaho State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

m. With this notice, we are designating CCE as the Commission's non-federal representative for carrying out informal consultation, pursuant to section 7 of the Endangered Species Act, and section 106 of the National Historic Preservation Act.

n. A copy of the PAD is available for review on the Commission's website (*http://www.ferc.gov*), using the ''eLibrary'' link. Enter the docket number, excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID–19) pandemic, issued by the President on March 13, 2020. For assistance, contact FERC Online Support at *FERCONlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). A copy is also available via the contact in paragraph h.

You may register online at *https://ferconline.ferc.gov/FERCOnline.aspx* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. With this notice, we are soliciting comments on the PAD and Commission staff's Scoping Document 1 (SD1), as well as study requests. All comments on the PAD and SD1, and study requests should be sent to the address above in paragraph h. In addition, all comments on the PAD and SD1, study requests, requests for cooperating agency status, and all communications to and from Commission staff related to the merits of the potential application must be filed with the Commission.

The Commission strongly encourages electronic filing. Please file documents using the Commission's eFiling system at *https://ferconline.ferc.gov/FERCOnline.aspx.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *https://ferconline.ferc.gov/QuickComment.aspx.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online. In lieu of electronic filing, you may submit a paper copy. Submissions sent via the U.S. Postal Service must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Room 1A, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Cat Creek Energy and Water Storage Project (P–14655–002).

All filings with the Commission must bear the appropriate heading: ''Comments on Pre-Application Document,'' ''Study Requests,'' ''Comments on Scoping Document 1,'' ''Request for Cooperating Agency Status,'' or ''Communications to and from Commission Staff.'' Any individual or entity interested in submitting study requests, commenting on the PAD or SD1, and any agency requesting cooperating status must do so by July 30, 2022.

p. Scoping Process.

The Commission's scoping process will help determine the required level of analysis and satisfy the NEPA scoping requirements, irrespective of whether the Commission prepares an environmental assessment or Environmental Impact Statement. Due to ongoing concerns with large gatherings related to COVID–19, we do not intend to hold in-person public scoping meetings or an in-person environmental site review. Rather, we will hold virtual public scoping meetings and virtual environmental site reviews.

Virtual Scoping Meetings

Commission staff will hold two virtual public scoping meetings via teleconference. An evening meeting will focus on receiving input from the public and a daytime meeting will focus on concerns of resource agencies, Native American tribes, and non-governmental organizations (NGO). We invite all interested agencies, Native American tribes, NGOs, and the public to attend one or both of these meetings to assist us in identifying the scope of environmental issues that should be analyzed in the NEPA document. The dates and times of the virtual scoping meetings are listed below.

Evening Meeting for the General Public

Wednesday, June 15, 2022, 7:00 p.m.–9:00 p.m. Mountain Daylight Time (MDT), Call in number: 800–779–8625, Participant passcode: 3472916

Following entry of the access code, please provide the required details when prompted.

Daytime Meeting for Resource Agencies, Tribes, and NGOs

Thursday, June 16, 2022, 10:00 a.m.–12:00 p.m. MDT, Call in number: 800–779–8625, Participant passcode: 3472916

Following entry of the access code, please provide the required details when prompted.

Scoping Document 1 (SD1), which outlines the subject areas to be addressed in the environmental document, was mailed to the individuals and entities on the Commission's mailing list and CCE's PAD distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov,* using the ''eLibrary'' link. Follow the directions for accessing information in paragraph n. Based on all oral and written comments, a Scoping Document 2 (SD2) may be issued. SD2 may include a revised process plan and schedule, as well as a list of issues, identified through the scoping process.

Virtual Environmental Site Reviews

CCE and Commission staff will hold two virtual environmental site reviews of the Cat Creek Project prior to each of the virtual scoping meetings. The virtual site reviews will be held on Wednesday

June 15, 2022, starting at 6:00 p.m. MDT, and on Thursday June 16, 2022, starting at 9:00 a.m. MDT Please contact CCE at 406–781–9911, or *info@ccewsrps.net* by Friday June 10, 2022, if you plan to attend one or both of the environmental site reviews. Directions for accessing the virtual site reviews will be provided by CCE staff once attendance is confirmed.

Meeting Objectives

At the scoping meetings, Commission staff will: (1) initiate scoping of the issues; (2) review and discuss existing conditions; (3) review and discuss existing information and identify preliminary information and study needs; (4) review and discuss the process plan and schedule for pre-filing activity that incorporates the time frames provided for in Part 5 of the Commission's regulations and, to the extent possible, maximizes coordination of federal, state, and tribal permitting and certification processes; and (5) discuss the potential of any federal or state agency or Native American tribe to act as a cooperating agency for development of an environmental document. Meeting participants should come prepared to discuss their issues and/or concerns. Please review CCE's PAD in preparation for the scoping meetings. Directions on how to obtain a copy of the PAD and SD1 are included in item n of this document.

Meeting Procedures

Commission staff will be moderating the scoping meetings. The meetings will begin promptly at their respective start times listed above. At the start of the meeting, staff will provide further instructions regarding the meeting setup, agenda, and how participants can provide their comments and questions during the meeting. The scoping meetings will be recorded by a court reporter, and all statements will become part of the Commission's public record for the project. Oral comments will initially be limited to 5 minutes in duration. Interested parties who choose not to speak or who are unable to attend the scoping meetings may provide written comments and information to the Commission using the instructions provided in item o.

Please note, that if no participants join the meetings within 30 minutes after the start time, staff will end the meeting and conference call. The meetings will end after participants have presented their oral comments or at the specified end time (listed above), whichever occurs first.

Dated: May 31, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–12053 Filed 6–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 6951–018]

Tallassee Shoals, LLC; Notice Soliciting Scoping Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Application:* New License.

b. *Project No.:* 6951–018.

c. *Date Filed:* September 15, 2021.

d. *Applicant:* Tallassee Shoals, LLC.

e. *Name of Project:* Tallassee Shoals Hydroelectric Project.

f. *Location:* The project is located on the Middle Oconee River, in Athens-Clarke and Jackson Counties, Georgia. The project does not occupy any federal land.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. 791 (a)—825 (r).

h. *Applicant Contact:* Walter Puryear, Tallassee Shoals, LLC., 2399 Tallassee Road, Athens, Georgia 30607; Phone at (706) 540–7621, or email at *wpuryear@bellsouth.net.*

i. *FERC Contact:* Michael Spencer at (202) 502–6093, or *michael.spencer@ferc.gov.*

j. *Deadline for filing scoping comments:* June 30, 2022.

The Commission strongly encourages electronic filing. Please file scoping comments using the Commission's eFiling system at *http://www.ferc.gov/docs-filing/efiling.asp.* Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at *http://www.ferc.gov/docs-filing/ecomment.asp.* You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at *FERCOnlineSupport@ferc.gov,* (866) 208–3676 (toll free), or (202) 502–8659 (TTY). In lieu of electronic filing, please send a paper copy via U.S. Postal Service to: Secretary, Federal Energy Regulatory Commission, 888 First Street NE, Washington, DC 20426. Submissions sent via any other carrier must be addressed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 12225 Wilkins Avenue, Rockville, Maryland 20852. All filings must clearly identify the project name and docket number on the first page: Tallassee Shoals Hydroelectric Project, P–6951–018.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application is not ready for environmental analysis at this time.

l. The Tallassee Shoals Project consists of the following existing facilities: (1) a 365-foot-long, 25-foot-high concrete dam; (2) a 100-kilowatt fixed Kaplan unit within the dam; (3) a 1,400-foot-long headrace canal from the dam to the powerhouse; (4) an 80-foot-long, 11-foot-diameter penstock; (5) a powerhouse containing a single 2.2 megawatt (MW) adjustable Kaplan unit; (6) a 75-foot-long tailrace; and (7) a 100-foot-long, 42-kilovolt transmission line. The project creates a 2,100-foot-long bypassed reach of the Middle Oconee River. The project's total capacity is 2.3 MW, and its average annual generation is approximately 6,100 megawatt-hours.

Tallassee Shoals, LLC. proposes to continue run-of-river operation of the project with the required minimum flow of 70 cfs or inflow, whichever is less, into the project's bypassed reach, yearound. Tallassee Shoals, LLC. proposes to discontinue the minimum flow of 138 cfs, or inflow, whichever is less, provided currently in the month of May.

m. In addition to publishing the full text of this notice in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this notice, as well as other documents in the proceeding (*e.g.,* scoping document) via the internet through the Commission's Home Page (*http://www.ferc.gov*) using the ''eLibrary'' link. Enter the docket number, excluding the last three digits, in the docket number field to access the document (P–6951). For assistance, contact FERC at *FERCOnlineSupport@ferc.gov* or call toll-free, (866) 208–3676 or TYY, (202) 502–8659.

n. You may also register online at *http://www.ferc.gov/docs-filing/esubscription.asp* to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

o. Scoping Process.

Commission staff will prepare either an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) that describes and evaluates the probable effects, if any, of the licensee's proposed action and alternatives. The EA or EIS will consider environmental impacts and reasonable alternatives to the proposed action. The Commission's scoping process will help determine the required level of analysis and satisfy the National Environmental Policy Act (NEPA) scoping requirements, irrespective of whether the Commission prepares an EA or an EIS. At this time, we do not anticipate holding on-site scoping meetings. Instead, we are soliciting written comments and suggestions on the preliminary list of issues and alternatives to be addressed in the NEPA document, as described in scoping document 1 (SD1), issued May 31, 2022.

Copies of SD1 outlining the subject areas to be addressed in the NEPA document were distributed to the parties on the Commission's mailing list and the applicant's distribution list. Copies of SD1 may be viewed on the web at *http://www.ferc.gov* using the ''eLibrary'' link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call 1–866–208–3676 or for TTY, (202) 502–8659.

Dated: May 31, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–12051 Filed 6–3–22; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 14861–002]

FFP Project 101, LLC; Notice of Reasonable Period of Time for Water Quality Certification Application

On May 24, 2022, Rye Development on behalf of FFP Project 101, LLC submitted to the Federal Energy Regulatory Commission (Commission) evidence of its application for a Clean Water Act section 401(a)(1) water quality certification filed with Washington State Department of Ecology (Washington Ecology), in conjunction with the above captioned project. Pursuant to section 401 of the Clean Water Act [1] and section 4.34(b)(5) of the Commission's regulations,[2] a state certifying agency is deemed to have waived its certifying authority if it fails or refuses to act on a certification request within a reasonable period of time, which is one year after the date the certification request was received. Accordingly, we hereby notify Washington Ecology of the following:

Date that Washington Ecology Received the Certification Request: May 23, 2022.

If Washington Ecology fails or refuses to act on the water quality certification request on or before May 23, 2023, then the agency certifying authority is deemed waived pursuant to section 401(a)(1) of the Clean Water Act, 33 U.S.C. 1341(a)(1).

Dated: May 31, 2022.

Kimberly D. Bose,

Secretary.

[FR Doc. 2022–12052 Filed 6–3–22; 8:45 am]

BILLING CODE 6717–01–P

[1] 33 U.S.C. 1341(a)(1).

[2] 18 CFR 4.34(b)(5).

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Combined Notice of Filings #1

Take notice that the Commission received the following electric corporate filings:

Docket Numbers: EC22–68–000.

Applicants: KCE NY 1, LLC, KCE NY 6, LLC.

Description: Joint Application for Authorization Under Section 203 of the Federal Power Act of KCE NY 1, LLC, et al.

Filed Date: 5/27/22.

Accession Number: 20220527–5348

Comment Date: 5 p.m. ET 6/17/22.

Take notice that the Commission received the following electric rate filings:

Docket Numbers: ER16–2320–011.

Applicants: Pacific Gas and Electric Company.

Description: Refund Report: TO18 Compliance Refund Report to be effective N/A.

Filed Date: 5/31/22.

Accession Number: 20220531–5294.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER20–1466–001.

Applicants: Louisville Gas and Electric Company.

Description: Compliance filing: Order 864 Compliance Filing Revised Attachment O to be effective 1/27/2020.

Filed Date: 5/31/22.

Accession Number: 20220531–5153.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER20–1829–002.

Applicants: Trans-Allegheny Interstate Line Company, PJM Interconnection, L.L.C.

Description: Compliance filing: Trans-Allegheny Interstate Line Company submits tariff filing per 35: TrAILCo Order 864 Compliance Filing in ER20–1829 to be effective 1/27/2020.

Filed Date: 5/31/22.

Accession Number: 20220531–5154.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER22–1128–001.

Applicants: Alabama Power Company, Georgia Power Company, Mississippi Power Company.

Description: Tariff Amendment: Alabama Power Company submits tariff filing per 35.17(b): PEHA bn (Pepper Hammock Solar & Storage) LGIA Deficiency Response to be effective 2/11/2022.

Filed Date: 5/31/22.

Accession Number: 20220531–5279.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER22–1985–000.

Applicants: FirstEnergy Service Company, PJM Interconnection, L.L.C.

Description: § 205(d) Rate Filing: FirstEnergy Service Company submits tariff filing per 35.13(a)(2)(iii: FirstEnergy submits on behalf of ATSI et al. Revised SA No. 2853 to be effective 7/27/2022.

Filed Date: 5/27/22.

Accession Number: 20220527–5306.

Comment Date: 5 p.m. ET 6/17/22.

Docket Numbers: ER22–1986–000.

Applicants: Basin Electric Power Cooperative, North Iowa Municipal Electric Cooperative Association.

Description: Request for Limited Waiver of Basin Electric Power Cooperative, et al.

Filed Date: 5/27/22.

Accession Number: 20220527–5339.

Comment Date: 5 p.m. ET 6/17/22.

Docket Numbers: ER22–1987–000.

Applicants: Pacific Gas and Electric Company.

Description: § 205(d) Rate Filing: May 2022 Western WDT Service Agreement Biannual Filing (SA 17) to be effective 8/1/2022.

Filed Date: 5/31/22.

Accession Number: 20220531–5175.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER22–1988–000.

Applicants: Pacific Gas and Electric Company.

Description: § 205(d) Rate Filing: May 2022 Western Interconnection Biannual Filing (TO SA 59) to be effective 8/1/2022.

Filed Date: 5/31/22.

Accession Number: 20220531–5178.

Comment Date: 5 p.m. ET 6/21/22.

Docket Numbers: ER22–1989–000.

Applicants: Basin Electric Power Cooperative.

Description: Tariff Amendment: Notice of Cancellation of Service

Agreement Nos. 15, 28, and 37 to be effective 4/19/2022.

Filed Date: 5/31/22.

Accession Number: 20220531–5195.

Comment Date: 5 pm ET 6/21/22.

Docket Numbers: ER22–1990–000.

Applicants: DTE Electric Company.

Description: § 205(d) Rate Filing: Update to Reactive Revenue Volume No. 5 to be effective 6/1/2022.

Filed Date: 5/31/22.

A*ccession Number:* 20220531–5266.

Comment Date: 5 p.m. ET 6/21/22.

Take notice that the Commission received the following public utility holding company filings:

Docket Numbers: PH22–16–000.

Applicants: Énergir Inc.

Description: Énergir Inc. submits FERC 65–B Notice of Change in Fact to Waiver Notification.

Filed Date: 5/27/22.

Accession Number: 20220527–5356.

Comment Date: 5 p.m. ET 6/17/22.

Docket Numbers: PH22–17–000.

Applicants: Énergir Development Inc.

Description: Énergir Development Inc. submits FERC 65–B Notice of Change in Fact to Waiver Notification.

Filed Date: 5/27/22.

Accession Number: 20220527–5358.

Comment Date: 5 p.m. ET 6/17/22.

The filings are accessible in the Commission's eLibrary system (*https://elibrary.ferc.gov/idmws/search/fercgensearch.asp*) by querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: *http://www.ferc.gov/docs-filing/efiling/filing-req.pdf.* For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: May 31, 2022.

Debbie-Anne A. Reese,

Deputy Secretary.

[FR Doc. 2022–12092 Filed 6–3–22; 8:45 am]

BILLING CODE 6717–01–P

FARM CREDIT SYSTEM INSURANCE CORPORATION

Board of Directors Meeting

SUMMARY: Notice of the forthcoming regular meeting of the Board of Directors of the Farm Credit System Insurance Corporation (FCSIC), is hereby given in accordance with the provisions of Article VI of the Bylaws of the FCSIC.

DATES: 10:00 a.m., Wednesday, June 8, 2022.

ADDRESSES: The public may only virtually attend the open portions of this meeting. If you would like to virtually attend, at least 24 hours in advance, visit *FCSIC.gov*, select ''News & Events,'' then select ''Board Meetings.'' From there, access the linked ''Instructions for board meeting visitors'' and complete the described registration process.

FOR FURTHER INFORMATION CONTACT: If you need more information or assistance for accessibility reasons, or have questions, contact Ashley Waldron, Secretary to the Board. Telephone: 703–883–4009. TTY: 703–883–4056.

SUPPLEMENTARY INFORMATION: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public. The following matters will be considered:

Portions Open to the Public

- Approval of March 9, 2022, Minutes
- Quarterly FCSIC Financial Reports
- Quarterly Report on Insured Obligations
- Quarterly Report on Annual Performance Plan
- Mid-Year Review of Insurance Premium Rates
- Policy Statement—Management and Sale of Owned Assets
- Policy Statement—Strategic Planning

Portions Closed to the Public

- Quarterly Report on Insurance Risk

Ashley Waldron,

Secretary to the Board.

[FR Doc. 2022–12036 Filed 6–3–22; 8:45 am]

BILLING CODE 6705–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0176; OMB 3060–0667; OMB 3060–0996; FR ID 89727]

Information Collections Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before August 5, 2022. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION: *OMB Control Number:* 3060–0176.

Title: Section 73.1510, Experimental Authorizations.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for-profit entities.

Number of Respondents and Responses: 230 respondents; 230 responses.

Estimated Time per Response: 2.25–5.25 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 983 hours.

Total Annual Costs: $231,250.

Obligation to Respond: Required to obtain or retain benefits. The statutory authority for this collection of

information is contained in Section 154(i) of the Communications Act of 1934, as amended.

Needs and Uses: The information collection requirements contained in 47 CFR 73.1510 require that a licensee of an AM, FM, and TV broadcast station to file an informal application with the FCC to request an experimental authorization to conduct technical experimentation directed toward improvement of the technical phases of operation and service. This request shall describe the nature and purpose of experimentation to be conducted, the nature of the experimental signal transmission, and the proposed hours and duration of the experimentation. The data are used by FCC staff to maintain complete technical information about a broadcast station and to ensure that such experimentation does not cause interference to other broadcast stations.

OMB Control Number: 3060–0667.

Title: Section 76.630(a), Compatibility with Consumer Electronic Equipment.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents and Responses: 1 respondent, 50,001 responses.

Estimated Hours per Response: .017–3 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 853 hours.

Total Annual Cost: $1,550.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for this collection of information is contained in Section 4(i) and Section 632 of the Communications Act of 1934, as amended.

Needs and Uses: The information collection requirements contained in 47 CFR 76.630(a) state a cable system operator shall not scramble or otherwise encrypt signals carried on the basic service tier. Requests for waivers of this prohibition must demonstrate either a substantial problem with theft of basic tier service or a strong need to scramble basic signals for other reasons. As part of this showing, cable operators are required to notify subscribers by mail of waiver requests. The notice to subscribers must be mailed no later than thirty calendar days from the date the request waiver was filed with the Commission, and cable operators must inform the Commission in writing, as soon as possible, of that notification date. The notification to subscribers must state: On (date of waiver request was filed with the Commission), (cable operator's name) filed with the Federal Communications Commission a request for waiver of the rule prohibiting scrambling of channels on the basic tier of service. 47 CFR 76.630(a). The request for waiver states (a brief summary of the waiver request). A copy of the request for waiver is on file for public inspection at (the address of the cable operator's local place of business).

Individuals who wish to comment on this request for waiver should mail comments to the Federal Communications Commission by no later than 30 days from (the date the notification was mailed to subscribers). Those comments should be addressed to the: Federal Communications Commission, Media Bureau, Washington, DC 20554, and should include the name of the cable operator to whom the comments are applicable. Individuals should also send a copy of their comments to (the cable operator at its local place of business). Cable operators may file comments in reply no later than 7 days from the date subscriber comments must be filed.

OMB Control Number: 3060–0996.

Title: AM Auction Section 307(b) Submissions.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit entities; State, local or Tribal governments.

Number of Respondents and Responses: 210 respondents; 210 responses.

Estimated Time per Response: 0.5–6 hours.

Frequency of Response: On occasion reporting requirement.

Obligation to Respond: Required to obtain or retain benefits. Statutory authority for the information collection requirements is contained in Sections 154(i), 307(b) and 309 of the Communications Act of 1934, as amended.

Total Annual Burden: 1,029 hours.

Total Annual Costs: $2,126,100.

Needs and Uses: On January 28, 2010, the Commission adopted a First Report and Order and Further Notice of Proposed Rulemaking (''First R&O'') in MB Docket No. 09–52, FCC 10–24. The First R&O adopted changes to certain procedures associated with the award of broadcast radio construction permits by competitive bidding, including modifications to the manner in which it awards preferences to applicants under the provisions of Section 307(b). In the First R&O, the Commission added a new Section 307(b) priority that would apply only to Native American and Alaska Native Tribes, Tribal consortia, and majority Tribal-owned entities proposing to serve Tribal lands. As adopted in the First R&O, the priority is only available when all of the following conditions are met: (1) The applicant is either a Federally recognized Tribe or Tribal consortium, or an entity that is 51 percent or more owned or controlled by a Tribe or Tribes; (2) at least 50 percent of the area within the proposed station's daytime principal community contour is over that Tribe's Tribal lands, in addition to meeting all other Commission technical standards; (3) the specified community of license is located on Tribal lands; and (4) in the commercial AM service, the applicant must propose first or second aural reception service or first local commercial Tribal-owned transmission service to the proposed community of license, which must be located on Tribal lands. Applicants claiming Section 307(b) preferences using these factors will submit information to substantiate their claims.

On March 3, 2011, the Commission adopted a Second Report and Order (''Second R&O''), First Order on Reconsideration, and Second Further Notice of Proposed Rule Making in MB Docket No. 09–52, FCC 11–28. The First Order on Reconsideration modified the initially adopted Tribal Priority coverage requirement, by creating an alternate coverage standard under criterion (2), enabling Tribes to qualify for the Tribal Priority even when their Tribal lands are too small or irregularly shaped to comprise 50 percent of a station's signal. In such circumstances, Tribes may claim the priority (i) if the proposed principal community contour encompasses 50 percent or more of that Tribe's Tribal lands, but does not cover more than 50 percent of the Tribal lands of a non-applicant Tribe; (ii) serves at least 2,000 people living on Tribal lands, and (iii) the total population on Tribal lands residing within the station's service contour constitutes at *53723 least 50 percent of the total covered population, with provision for waivers as necessary to effectuate the goals of the Tribal Priority. This modification will now enable Tribes with small or irregularly shaped lands to qualify for the Tribal Priority.

The modifications to the Commission's allotment and assignment policies adopted in the Second R&O included a rebuttable ''Urbanized Area service presumption'' under Priority (3), whereby an application to locate or relocate a station as the first local transmission service at a community located within an Urbanized Area, that

would place a daytime principal community signal over 50 percent or more of an Urbanized Area, or that could be modified to provide such coverage, will be presumed to be a proposal to serve the Urbanized Area rather than the proposed community. In the case of an AM station, the determination of whether a proposed facility ''could be modified'' to cover 50 percent or more of an Urbanized Area will be made based on the applicant's certification in the Section 307(b) showing that there could be no rule-compliant minor modifications to the proposal, based on the antenna configuration or site, and spectrum availability as of the filing date, that could cause the station to place a principal community contour over 50 percent or more of an Urbanized Area. To the extent the applicant wishes to rebut the Urbanized Area service presumption, the Section 307(b) showing must include a compelling showing (a) that the proposed community is truly independent from the Urbanized Area; (b) of the community's specific need for an outlet of local expression separate from the Urbanized Area; and (c) the ability of the proposed station to provide that outlet.

In the case of applicants for new AM stations making a showing under Priority (4), other public interest matters, an applicant that can demonstrate that its proposed station would provide third, fourth, or fifth reception service to at least 25 percent of the population in the proposed primary service area, where the proposed community of license has two or fewer transmission services, may receive a dispositive Section 307(b) preference under Priority (4). An applicant for a new AM station that cannot demonstrate that it would provide the third, fourth, or fifth reception service to the required population at a community with two or fewer transmission services may also, under Priority (4), calculate a ''service value index'' as set forth in the case of Greenup, Kentucky and Athens, Ohio, Report and Order, 2 FCC Rcd 4319 (MMB 1987). If the applicant can demonstrate a 30 percent or greater difference in service value index between its proposal and the next highest ranking proposal, it can receive a dispositive Section 307(b) preference under Priority (4). Except under these circumstances, dispositive Section 307(b) preferences will not be granted under Priority (4) to applicants for new AM stations. The Commission specifically stated that these modified allotment and assignment procedures will not apply to pending applications for new AM stations and major modifications to AM facilities filed during the 2004 a.m. Auction 84 filing window.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2022–12014 Filed 6–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[OMB 3060–0474; FR ID 89876]

Information Collection Being Reviewed by the Federal Communications Commission Under Delegated Authority

AGENCY: Federal Communications Commission.

ACTION: Notice and request for comments.

SUMMARY: As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collection. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees. The FCC may not conduct or sponsor a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

DATES: Written PRA comments should be submitted on or before August 5, 2022. If you anticipate that you will be submitting comments but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all PRA comments to Cathy Williams, FCC, via email to *PRA@fcc.gov* and to *Cathy.Williams@fcc.gov.*

FOR FURTHER INFORMATION CONTACT: For additional information about the information collection, contact Cathy Williams at (202) 418–2918.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060–0474.

Title: Section 74.1263, Time of Operation.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business and other for profit entities; not-for-profit institutions.

Number of Respondents and Responses: 110 respondents; 110 responses.

Estimated Time per Response: 0.5 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 55 hours.

Total Annual Costs: None.

Needs and Uses: The information collection requirements contained in 47 CFR 74.1263(c) require licensees of FM translator or booster stations to notify the Commission of its intent to discontinue operations for 30 or more consecutive days. In addition, licensees must notify the Commission within 48 hours of the station's return to operation. The information collection requirements contained in 47 CFR Section 74.1263(d) require FM translator or booster station licensees to notify the Commission of its intent to discontinue operations permanently and to forward the station license to the FCC for cancellation.

Federal Communications Commission.

Marlene Dortch,

Secretary.

[FR Doc. 2022–12015 Filed 6–3–22; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL RESERVE SYSTEM

Privacy Act of 1974; System of Records

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records entitled, BGFRS–36, ''FRB—

Federal Reserve Application Name Check System.'' The Board uses BGFRS–36 to track the processing of applications, notifications, and other filings submitted by financial institutions supervised by the Board, including through the Federal Reserve Banks.

DATES: Comments must be received on or before July 6, 2022. This revised system of records will become effective July 6, 2022, without further notice, unless comments dictate otherwise. The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS–36 ''FRB- Federal Reserve Application Name Check System,''* by any of the following methods:

- *Agency website: https://www.federalreserve.gov.* Follow the instructions for submitting comments at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Email: regs.comments@federalreserve.gov.* Include SORN name and number in the subject line of the message.
- *Fax:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm as submitted, unless modified for technical reasons, or to remove sensitive personally identifiable information. Public comments may also be viewed electronically and in-person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9:00 a.m. and 5:00 p.m. during federal business weekdays.

FOR FURTHER INFORMATION CONTACT: David B. Husband, Senior Counsel, (202) 530–6270, or *david.b.husband@frb.gov;* Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunication relay services.

SUPPLEMENTARY INFORMATION: This system allows Federal Reserve Bank staff (acting under authority delegated by the Board) and Board staff (collectively, ''FRS staff'') to manage the processing of applications, notices, or other filings that involve individuals and are submitted by or associated with financial institutions for approval or other action. As part of the review and approval process for these filings, FRS staff evaluate the fitness of individuals who propose to be associated with a financial institution. The evaluation involves the conduct of background checks designed to uncover criminal activities of these individuals. The FRS staff use the information stored and processed by this system to monitor and track the progress and status of these fitness evaluations.

First, the Board is amending the system of records to update the authority for the maintenance of the system. The Board is adding a citation to the Home Owner's Loan Act (12 U.S.C. 1467a) and the Board's Regulation LL (12 CFR part 238) because savings and loan holding companies also submit applications, notices, and proposals to the Board to evaluate and consider the proposed officers, directors, principal shareholders, or other individuals associated with the holding company. This addition aligns the cited statutory authority with the broad purpose of the system, which has been and continues to be the collection of information from ''holding companies'' generally. With this change, the cited authority now includes express citations for bank and savings and loan holding companies rather than bank holding companies only.

The Board is also amending the system-specific routine uses to state that the name check results, which are part of the fitness evaluation, may be disclosed in accordance with applicable Board routine uses. The Board is making this change as the Board has determined that name check results should be treated the same as other information obtained in the fitness evaluation and therefore should be subject to disclosure in accordance with the routine uses applicable to the system. While the Board does not intend to typically share the name check results, this change provides the Board the ability to share name check results in accordance with the published routine uses if needed. The Board is also amending system-specific routine use number two to permit the sharing of the information covered by this system with other bank regulatory agencies as necessary on a confidential basis consistent with explicit information sharing agreements rather than for regulatory comment purposes only because the Board works with those agencies on supervisory and regulatory matters beyond those focused on regulatory comments. The Board is also eliminating the reference to ''thrift regulatory agencies'' in the phrase ''other bank and thrift regulatory agencies'' as outdated because the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111–203, 124 Stat. 1376 (2010)) dissolved the Office of Thrift Supervision. Thus, the Board proposes to revise routine use two to read: ''to disclose certain information to other bank regulatory agencies pursuant to explicit information sharing agreements.''

The Board is also taking the opportunity to amend the system to generally harmonize terms, note that records are no longer stored in paper form (other than historical records) but in electronic form, and update the category of individuals to more clearly match the purpose of the system. The Board is also updating the contact information for the system manager, the record source categories, the system location information, and the policies and practices for retrieval of records.

The Board is also making technical changes to BGFRS–36 consistent with the template laid out in OMB Circular No. A–108. Accordingly, the Board is making technical corrections and non-substantive language revisions to the following categories: ''Policies and Practices for Storage of Records,'' Policies and Practices for Retrieval of Records,'' ''Policies and Practices for Retention and Disposal of Records,'' ''Administrative, Technical and Physical Safeguards,'' ''Record Access Procedures,'' ''Contesting Record Procedures,'' and ''Notification Procedures.'' The Board is also adding the following new fields: ''Security Classification'' and ''History.''

SYSTEM NAME AND NUMBER:

BGFRS–36 ''FRB—Federal Reserve Application Name Check System''

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

The Board maintains the electronic records at the following location: East Rutherford Data Center, 100 Orchard Street, East Rutherford, NJ 07073.

SYSTEM MANAGER(S):

Susan Motyka, Deputy Associate Director, Division of Supervision and Regulation, 20th Street and Constitution Avenue NW, Washington, DC 20551, at (202) 452 –5280 or *susan.e.motyka@frb.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 9, 19, 25 and 25A of the Federal Reserve Act (12 U.S.C. 321–328, 466, 601–604(a), and 611–631); the Change in Bank Control Act (12 U.S.C. 1817(j)); Section 18(c) of the Bank Merger Act (12 U.S.C. 1828(c)); Section 32 of the Federal Deposit Insurance Act (12 U.S.C. 1831i); Sections 3, 4, and 5 of the Bank Holding Company Act of 1956 (12 U.S.C. 1842, 1843, and 1844); Section 10 of the Home Owners' Loan Act (12 U.S.C. 1467a); Section 5 of the Bank Service Company Act (12 U.S.C. 1865); Sections 7, 8, and 10 of the International Banking Act (12 U.S.C. 3105, 3106, and 3107); the Board's Regulation H (12 CFR part 208); the Board's Regulation K (12 CFR part 211); the Board's Regulation L (12 CFR part 212); the Board's Regulation LL (12 CFR part 238); the Board's Regulation Y (12 CFR part 225); and Executive Order 9397.

PURPOSE(S) OF THE SYSTEM:

These records are collected and maintained to assist the FRS in evaluating the proposed officers, directors, principal shareholders, or other individuals associated with a depository institution, holding company, or other foreign or domestic entity in connection with consideration of various regulatory applications, notices, or filings. The FRS uses these records, along with other information, to determine whether the filing meets the statutory factors for approval.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals, such as directors, officers, employees, controlling shareholders, or persons who are the subject of the background checks designed to uncover criminal activities bearing on the individual's fitness to be a director, officer, employee, or controlling shareholder, or other individual associated with a depository institution, holding company, or other foreign or domestic entity.

CATEGORIES OF RECORDS IN THE SYSTEM:

The categories of records in the system include: name; social security number, passport number, or other identifying number; address; occupation; birth city, state, and country; country(ies) of citizenship; date of birth; names of related companies and the person's role at those companies; an indication whether each agency conducting a check had any information on the person and the results of the name check; and name and address of the financial institution that submitted the application with which the person was associated.

RECORD SOURCE CATEGORIES:

Information is provided by the individuals to whom the record pertains or their agents (such as law firms or consultants) during the regulatory application, notice, or filing process. The results of a background check are also provided by the relevant agency. In addition, FRS staff, as part of the due diligence process associated with the review of a particular filing, performs name checks on the individuals to be involved in such filings by contacting other relevant Federal agencies, for comments and other information related to the identified individuals.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses A, B, C, D, G, I, and J apply to all other categories of information in the system. These general routine uses are located at *https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf* and are published in the **Federal Register** at 83 FR 43872 at 43873–74 (August 28, 2018). These records may also be used:

1. to disclose certain information to other Federal agencies to enable completion of the name check process related to a particular filing; and

2. to disclose certain information to other bank regulatory agencies pursuant to explicit information sharing agreements.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Record are stored in electronic form. Some historical records are still stored in paper form.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records are generally retrieved by an identification code internally assigned to each related filing or by the name of the financial institution involved in the related filing. However, records also can be retrieved by the name of the individual.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

All records are retained for 15 years and destroyed when no longer needed for administrative or reference purposes.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Electronic files are stored on secure servers and historical paper records are stored in locked file cabinets. Access is restricted to authorized employees and contractors within the Board or Federal Reserve System who require access for official business purposes. Users are classified into different roles and common access and usage rights are established for each role. User roles are used to delineate between the different types of access requirements such that users are restricted to data that is required in the performance of their duties. The electronic storage systems have the ability to track individual actions within the applications. Periodic audits and reviews are conducted to determine whether authenticated users still require access and whether there have been any unauthorized changes in any information maintained. The audit and accountability controls, which are based on NIST and Board standards, assist in detecting security violations or other issues within the electronic system.

RECORD ACCESS PROCEDURES:

The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) contain a statement that the request is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record you seek.

The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records.

You may submit your Privacy Act request to the—Secretary of the Board, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

You may also submit your Privacy Act request electronically by filling out the required information at: *https://foia.federalreserve.gov/.*

CONTESTING RECORD PROCEDURES:

The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records that pertains to them. To request an amendment to your record, you should clearly mark the request as a ''Privacy Act Amendment Request.'' You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must

provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment; (4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a Privacy Act request for access or amendment, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES:

Same as ''Access procedures'' above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Certain portions of this system of records may be exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

HISTORY:

This SORN was previously published in the **Federal Register** at 73 FR 24984 at 25011 (May 6, 2008). The SORN was also amended to incorporate two new routine uses required by OMB at 83 FR 43872 (August 28, 2018).

Board of Governors of the Federal Reserve System.

Ann Misback,

Secretary of the Board.

[FR Doc. 2022–12032 Filed 6–3–22; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

[Docket No. OP–1772]

Announcement of Financial Sector Liabilities

The Board's Regulation XX prohibits a merger or acquisition that would result in a financial company that controls more than 10 percent of the aggregate consolidated liabilities of all financial companies (''aggregate financial sector liabilities'').[1] Specifically, an insured depository institution, a bank holding company, a savings and loan holding company, a foreign banking organization, any other company that controls an insured depository institution, and a nonbank financial company designated by the Financial Stability Oversight Council (each, a ''financial company'') is prohibited from merging or consolidating with, acquiring all or substantially all of the assets of, or acquiring control of, another company if the resulting company's consolidated liabilities would exceed 10 percent of the aggregate financial sector liabilities.[2]

Under Regulation XX, the Federal Reserve will publish the aggregate financial sector liabilities by July 1 of each year. Aggregate financial sector liabilities are equal to the average of the year-end financial sector liabilities figure (as of December 31) of each of the preceding two calendar years.

FOR FURTHER INFORMATION CONTACT: Lesley Chao, Lead Financial Institution Policy Analyst, (202) 974–7063; Clay Kitchura, Financial Institution Policy Analyst, (202) 452–2507; Matthew Suntag, Senior Counsel, (202) 452–3694; Laura Bain, Senior Counsel, (202) 736–5546; for users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services (TRS), please call 711 from any telephone, anywhere in the United States; Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551.

Aggregate Financial Sector Liabilities

''Aggregate financial sector liabilities'' is equal to $22,713,560,141,5002C;.[3] This measure is in effect from July 1, 2022 through June 30, 2023.

Calculation Methodology

The aggregate financial sector liabilities measure equals the average of the year-end financial sector liabilities figure (as of December 31) of each of the preceding two calendar years. The year-end financial sector liabilities figure equals the sum of the total consolidated liabilities of all top-tier U.S. financial companies and the U.S. liabilities of all top-tier foreign financial companies, calculated using the applicable methodology for each financial company, as set forth in Regulation XX and summarized below.

Consolidated liabilities of a U.S. financial company that was subject to consolidated risk-based capital rules as of December 31 of the year being measured, equal the difference between the U.S. financial company's risk-weighted assets (as adjusted upward to reflect amounts that are deducted from regulatory capital elements pursuant to the Federal banking agencies' risk-based capital rules) and total regulatory capital, as calculated under the applicable risk-based capital rules. Companies in this category include (with certain exceptions listed below) bank holding companies, savings and loan holding companies, and insured depository institutions. The Federal Reserve used information collected on the Consolidated Financial Statements for Holding Companies (''FR Y–9C'') and the Bank Consolidated Reports of Condition and Income (''Call Report'') to calculate liabilities of these institutions.

Consolidated liabilities of a U.S. financial company not subject to consolidated risk-based capital rules as of December 31 of the year being measured, equal liabilities calculated in accordance with applicable accounting standards. Companies in this category include nonbank financial companies supervised by the Board, bank holding companies and savings and loan holding companies subject to the Federal Reserve's Small Bank Holding Company Policy Statement, savings and loan holding companies substantially engaged in insurance underwriting or commercial activities, and U.S. companies that control insured depository institutions but are not bank holding companies or savings and loan holding companies. ''Applicable accounting standards'' is defined as Generally Accepted Accounting Principles (''GAAP''), or such other accounting standard or method of estimation that the Board determines is appropriate.[4] The Federal Reserve used information collected on the FR Y–9C, the Parent Company Only Financial Statements for Small Holding Companies (''FR Y–9SP''), and the Financial Company Report of

[1] Regulation XX implements section 622 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. *See* 12 U.S.C. 1852.

[2] 12 U.S.C. 1852(a)(2), (b); 12 CFR 251.3.

[3] This number reflects the average of the financial sector liabilities figure for the years ending December 31, 2020 ($21,957,634,194,000) and December 31, 2021 ($23,469,486,089,000).

[4] A financial company may request to use an accounting standard or method of estimation other than GAAP if it does not calculate its total consolidated assets or liabilities under GAAP for any regulatory purpose (including compliance with applicable securities laws). 12 CFR 251.3(e). In previous years, the Board received and approved requests from eleven financial companies to use an accounting standard or method of estimation other than GAAP to calculate liabilities. Ten of the companies were insurance companies that reported financial information under Statutory Accounting Principles (''SAP''), and one was a foreign company that controlled a U.S. industrial loan company that reported financial information under International Financial Reporting Standards (''IFRS''). For the insurance companies, the Board approved a method of estimation that was based on line items from SAP-based reports, with adjustments to reflect certain differences in accounting treatment between GAAP and SAP. For the foreign company, the Board approved the use of IFRS. Such companies that continue to be subject to Regulation XX continue to use the previously approved methods. The Board did not receive any new requests this year.

Consolidated Liabilities (''FR XX–1'') to calculate liabilities of these institutions.

Under Regulation XX, liabilities of a foreign banking organization's U.S. operations are calculated using the risk-weighted asset methodology for subsidiaries subject to the risk-based capital rule, plus the assets of all branches, agencies, and nonbank subsidiaries, calculated in accordance with applicable accounting standards. Liabilities attributable to the U.S. operations of a foreign financial company that is not a foreign banking organization are calculated in a similar manner to the method described for foreign banking organizations, and liabilities of a U.S. subsidiary not subject to the risk-based capital rule are calculated based on the U.S. subsidiary's liabilities under applicable accounting standards. The Federal Reserve used information collected on the Capital and Asset Report for Foreign Banking Organizations (''FR Y–7Q''), the FR Y–9C, and the FR XX–1 to calculate liabilities of these institutions.

By order of the Board of Governors of the Federal Reserve System, acting through the Director of Supervision and Regulation under delegated authority.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2022–12007 Filed 6–3–22; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Privacy Act of 1974; System of Records

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS–5, ''FRB—EEO Discrimination Complaint File.'' BGFRS–5 includes documents relating to Equal Employment Opportunity (EEO) complaints and the subsequent decisions or determinations made by the Board affecting individuals under the Board's EEO regulations and procedures.

DATES: Comments must be received on or before July 6, 2022. This new system of records will become effective July 6, 2022, without further notice, unless comments dictate otherwise. The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS–5 ''FRB—EEO Discrimination Complaint File,''* by any of the following methods:

- *Agency Website: https://www.federalreserve.gov.* Follow the instructions for submitting comments at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Email: regs.comments@federalreserve.gov.* Include SORN name and number in the subject line of the message.
- *Fax:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments will be made available on the Board's website at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons or to remove sensitive personally identifiable information. Public comments may also be viewed electronically and in-person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9:00 a.m. and 5:00 p.m. during federal business weekdays.

FOR FURTHER INFORMATION CONTACT: David B. Husband, Senior Counsel, (202) 530–6270, or *david.b.husband@frb.gov;* Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunication relay services.

SUPPLEMENTARY INFORMATION: The Board is modifying this system to reflect general updates to the system. Specifically, the Board is updating the system manager, the purpose of the system, the category of individuals in the system, the policies and practices for retention and disposal of records, and the administrative and technical safeguards. Accordingly, the Board is providing contact information for the system manager and is amending the purpose of the system to further identify the various equal employment opportunity statutes with which the Board strives to comply. The Board is adding contractors to the ''Category of Individuals'' section to reflect that contractor's complaints may be stored in the system even if dismissed procedurally and is amending the ''Policies and Practices for Retention and Disposal of Records'' section to reflect differences in the retention schedules between the informal and formal complaint process. In addition, the Board is updating this system of records to provide additional detail about the controls and other safeguards in place for records in the ''Administrative, Technical, and Physical Safeguards'' section. The Board is also taking the opportunity to update the ''Routine Uses'' section to incorporate a link to the Board's general routine uses. The Board is not amending or establishing any new routine uses.

The Board is also making technical changes to BGFRS–5 consistent with the template laid out in OMB Circular No. A–108. Accordingly, the Board has made technical corrections and non-substantive language revisions to the following categories: ''Policies and Practices for Storage of Records,'' ''Policies and Practices for Retrieval of Records,'' ''Policies and Practices for Retention and Disposal of Records,'' ''Administrative, Technical and Physical Safeguards,'' ''Record Access Procedures,'' ''Contesting Record Procedures,'' and ''Notification Procedures.'' The Board has also created the following new fields: ''Security Classification'' and ''History.''

SYSTEM NAME AND NUMBER:

BGFRS–5 ''FRB—EEO Discrimination Complaint File.''

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SYSTEM MANAGER(S):

Sheila Clark, Program Director—Office of Diversity and Inclusion (OD&I), Management Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551, (202) 452–2883, or *sheila.clark@frb.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. 244 and 248).

PURPOSE(S) OF THE SYSTEM:

These records are collected and maintained to assist the Board in carrying out its responsibilities under the Title VII of the Civil Rights Act of

1964, the Rehabilitation Act of 1973, the Age in Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Genetic Information and Nondiscrimination Act of 2008, and other nondiscrimination statutes.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for Board employment, and past and present Board employees who have filed a complaint of discrimination or appealed a determination made by an official of the Board relating to equal employment opportunity. Past and present contractors who file a complaint may also be covered by this system.

CATEGORIES OF RECORDS IN THE SYSTEM:

Documents relating to a complaint, and the decision or determination made by the Board affecting an individual under the Board's EEO regulations and procedures. The records consist of the initial complaint or appeal letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions to the Board and/or individual about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

RECORD SOURCE CATEGORIES:

Information is provided by the individual to whom the record pertains, Board employees, testimonies of witnesses, official documents relating to the appeal, grievance, or complaints, and correspondence from organizations or persons.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses A, B, C, D, F, G, I, and J apply to this system. These general routine uses are located at *https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf* and are published in the **Federal Register** at 83 FR 43872 at 43873–74 (August 28, 2018). Records may also be used to disclose information to management as a data source for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies and may also be utilized to respond to investigative or legal requests for statistical information (without personal identification of individuals).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Paper records are stored in locked file cabinets with access limited to staff with a need to know. Electronic records are stored on a secure server with access limited to staff with a need to know.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Records can be retrieved by the individual's name.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

Records generated in the informal complaint process should be destroyed 3 years after resolution of case and 7 years after resolution of a cases in the formal complaint process.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Paper records are secured by lock and key and electronic files are stored on secure servers. The system has the ability to track individual user actions within the system. The audit and accountability controls are based on NIST and Board standards which, in turn, are based on applicable laws and regulations. The controls assist in detecting security violations and performance or other issues in the system. Access to the system is restricted to authorized users within the Board who require access for official business purposes. Users are classified into different roles and common access and usage rights are established for each role. User roles are used to delineate between the different types of access requirements such that users are restricted to data that is required in the performance of their duties. Periodic assessments and reviews are conducted to determine whether users still require access, have the appropriate role, and whether there have been any unauthorized changes.

RECORD ACCESS PROCEDURES:

The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) contain a statement that the request is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record you seek.

Current or former Board employees may make a request for access by contacting the Board office that maintains the record. The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records.

You may submit your Privacy Act request to the—Secretary of the Board, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

You may also submit your Privacy Act request electronically by filling out the required information at: *https://foia.federalreserve.gov/.*

CONTESTING RECORD PROCEDURES:

The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records that pertains to them. To request an amendment to your record, you should clearly mark the request as a ''Privacy Act Amendment Request.'' You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment; (4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a related Privacy Act request for access or amendment, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES:

Same as ''Access procedures'' above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

Certain portions of this system of records may be exempt from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2).

HISTORY:

This SORN was previously published in the **Federal Register** at 73 FR 24984 at 24991 (May 6, 2008). The SORN was also amended to incorporate two new routine uses required by OMB at 83 FR 43872 (August 28, 2018).

Board of Governors of the Federal Reserve System.

Ann E. Misback,

Secretary of the Board.

[FR Doc. 2022–12034 Filed 6–3–22; 8:45 am]

BILLING CODE P

FEDERAL RESERVE SYSTEM

Privacy Act of 1974; System of Records

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of a modified system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, notice is given that the Board of Governors of the Federal Reserve System (Board) proposes to modify an existing system of records, entitled BGFRS–41, ''FRB—Ethics Program Records,'' which maintains information collected in connection with the administration of the Board's Ethics Program and enables the Board to ensure public trust in the Board's and the Federal Open Market Committee's monetary responsibilities.

DATES: This modified system of records will become effective upon publication in the **Federal Register**, without further notice, unless comments dictate otherwise. Comments must be received on or before July 6, 2022.

The Office of Management and Budget (OMB), which has oversight responsibility under the Privacy Act, requires a 30-day period prior to publication in the **Federal Register** in which to review the system and to provide any comments to the agency. The public is then given a 30-day period in which to comment, in accordance with 5 U.S.C. 552a(e)(4) and (11).

ADDRESSES: You may submit comments, identified by *BGFRS–41 ''FRB—Ethics Program Records,''* by any of the following methods:

- *Agency Website: https://www.federalreserve.gov.* Follow the instructions for submitting comments at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx.*
- *Email: regs.comments@federalreserve.gov.* Include name and number in the subject line of the message.
- *Fax:* (202) 452–3819 or (202) 452–3102.
- *Mail:* Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

All public comments will be made available on the Board's website at *https://www.federalreserve.gov/apps/foia/proposedregs.aspx* as submitted, unless modified for technical reasons or to remove sensitive personally identifiable information. Public comments may also be viewed electronically and in-person in Room M–4365A, 2001 C St. NW, Washington, DC 20551, between 9:00 a.m. and 5:00 p.m. during federal business weekdays.

FOR FURTHER INFORMATION CONTACT: David B. Husband, Senior Counsel, (202) 530–6270 or *david.b.husband@frb.gov;* Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551. If you are deaf, hard of hearing, or have a speech disability, please dial 7–1–1 to access telecommunication relay services.

SUPPLEMENTARY INFORMATION: The Board is modifying this system of records to account for the addition to the system of information related to compliance by certain Board and Reserve Bank employees, including Board members and Reserve Bank presidents, with the rules and reporting requirements set out in the Federal Open Market Committee's (FOMC) Investment and Trading Policy for FOMC Officials (''investment and trading policy''). As a result, the Board is updating the ''Categories of Records in the System'' section to indicate that the system will include investment and trading activity information collected for the purposes of administering the investment and trading policy. In addition, the Board is updating the ''Categories of Individuals Covered by the System'' and ''Record Source Categories'' sections to indicate that the system will now include information relating to Reserve Bank personnel. In light of the purposes of the investment and trading policy and the new information that will be collected pursuant to the policy, the Board is also expanding the purpose of the system to align with the Board's commitment to upholding the highest standards of ethical conduct and the maintenance of public trust, which is critical to the execution of the Board's and the FOMC's monetary policy responsibilities.

Finally, in the ''Categories of Records in the System'' section, the Board is replacing the reference to ''ethics inquiries'' with a broader reference to ''ethics matters;'' updating the System Manager; and updating the ''Administrative, Physical, and Technical Safeguards'' section to better reflect the applicable safeguards.

SYSTEM NAME AND NUMBER:

BGFRS–41, ''FRB—Ethics Program Records''

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

SYSTEM MANAGER(S):

Sean Croston, Alternate Designated Agency Ethics Official, Legal Division, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551, (202) 452–2810, or *sean.d.croston@frb.gov.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

12 U.S.C. 244; Ethics in Government Act of 1978, 5 U.S.C. app; Ethics Reform Act of 1989, Pub. L. 101–194; 5 CFR 2638.104(c)(2).

PURPOSE(S) OF THE SYSTEM:

This system of records enables the Board to administer the Board's Ethics Program consistent with applicable requirements in furtherance of the Board's commitment to uphold the highest standards of ethical conduct. This system of records also enables the Board to ensure public trust in the Board's as well as the Federal Open Market Committee's monetary policy responsibilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals covered by this system consist of prospective, current, and former Board and Federal Reserve Bank employees, including Board members and Reserve Bank presidents.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system covers records regarding ethics matters involving prospective, current, and former Board and Reserve Bank employees. For example, the records may contain, without limitation: the prospective, current, or former employee's name, address, telephone number, and email address; ethics advice (including waivers); compensated outside employment approvals (*i.e.,* employment outside of or unrelated to the employee's official Board duties); information in support of Public Financial Disclosure Reports and Confidential Financial Disclosure Reports that is not already covered by the government-wide system of record notices ''OGE/GOVT–1, Executive Branch Public Financial Disclosure Reports and Other Name-Retrieved

Ethics Program Records'' and ''OGE/GOVT–2, Executive Branch Confidential Financial Disclosure Reports;'' and information regarding investment and trading activity collected for the purposes of administering the Federal Open Market Committee's ''Investment and Trading Policy for FOMC Officials.'' In addition, the system may also contain records relating to the employment or financial interests of the family members of prospective, current, or former Board and Reserve Bank employees.

RECORD SOURCE CATEGORIES:

The primary source of the information is the prospective, current, or former Board or Reserve Bank employee. Other sources may include, but are not limited to, the employee's supervisors, attorneys, representatives, or family members, Office of Inspector General staff, and other Board or Reserve Bank staff.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

General routine uses, A, B, C, D, E, F, G, H, I, and J apply to this system. These general routine uses are located at *https://www.federalreserve.gov/files/SORN-page-general-routine-uses-of-board-systems-of-records.pdf* and are published in the **Federal Register** at 83 FR 43872 at 43873–74 (August 28, 2018).

POLICIES AND PRACTICES FOR STORAGE OF RECORDS:

Paper records in this system are stored in locked file cabinets with access limited to staff with a need to know. Electronic records are stored on a secure server with access limited to staff with a need to know.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:

Paper and electronic records can be retrieved by name or other personal identifiers.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:

The retention period for the records in this system is six years or when no longer needed for an active investigation, whichever is later, but longer retention is authorized if required for business use.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:

Paper records are secured by lock and key and electronic files are stored on secure servers. The system has the ability to track individual user actions within the system. The audit and accountability controls are based on NIST and Board standards which, in turn, are based on applicable laws and regulations. The controls assist in detecting security violations and performance or other issues in the system. Access to the system is restricted to authorized users who require access for official business purposes. Users are classified into different roles and common access and usage rights are established for each role. User roles are used to delineate between the different types of access requirements such that users are restricted to data that is required in the performance of their duties. Periodic assessments and reviews are conducted to determine whether users still require access, have the appropriate role, and whether there have been any unauthorized changes.

RECORD ACCESS PROCEDURES:

The Privacy Act allows individuals the right to access records maintained about them in a Board system of records. Your request for access must: (1) contain a statement that the request is made pursuant to the Privacy Act of 1974; (2) provide either the name of the Board system of records expected to contain the record requested or a concise description of the system of records; (3) provide the information necessary to verify your identity; and (4) provide any other information that may assist in the rapid identification of the record you seek.

Current or former Board employees may make a request for access by contacting the Board office that maintains the record. The Board handles all Privacy Act requests as both a Privacy Act request and as a Freedom of Information Act request. The Board does not charge fees to a requestor seeking to access or amend his/her Privacy Act records.

You may submit your Privacy Act request to the—Secretary of the Board, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue NW, Washington, DC 20551.

You may also submit your Privacy Act request electronically by filling out the required information at: *https://foia.federalreserve.gov/*.

CONTESTING RECORD PROCEDURES:

The Privacy Act allows individuals to seek amendment of information that is erroneous, irrelevant, untimely, or incomplete and is maintained in a system of records that pertains to them. To request an amendment to your record, you should clearly mark the request as a ''Privacy Act Amendment Request.'' You have the burden of proof for demonstrating the appropriateness of the requested amendment and you must provide relevant and convincing evidence in support of your request.

Your request for amendment must: (1) provide the name of the specific Board system of records containing the record you seek to amend; (2) identify the specific portion of the record you seek to amend; (3) describe the nature of and reasons for each requested amendment; (4) explain why you believe the record is not accurate, relevant, timely, or complete; and (5) unless you have already done so in a related Privacy Act request for access or amendment, provide the necessary information to verify your identity.

NOTIFICATION PROCEDURES:

Same as ''Access procedures'' above. You may also follow this procedure in order to request an accounting of previous disclosures of records pertaining to you as provided for by 5 U.S.C. 552a(c).

EXEMPTIONS PROMULGATED FOR THE SYSTEM:

None.

HISTORY:

This system was previously published in the **Federal Register** at 84 FR 7054 (March 1, 2019).

Board of Governors of the Federal Reserve System.

Ann Misback,

Secretary of the Board.

[FR Doc. 2022–12033 Filed 6–3–22; 8:45 am]

BILLING CODE P

FEDERAL TRADE COMMISSION

Agency Information Collection Activities; Submission for OMB Review; Comment Request

AGENCY: Federal Trade Commission (FTC).

ACTION: Notice and request for comment.

SUMMARY: The FTC requests that the Office of Management and Budget (OMB) extend for three years the current Paperwork Reduction Act (PRA) clearance for information collection requirements contained in the agency's Health Breach Notification Rule (or Rule). That clearance expires on June 30, 2022.

DATES: Comments must be received by July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/*

PRAMain. Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. The *reginfo.gov* web link is a United States Government website produced by OMB and the General Services Administration (GSA). Under PRA requirements, OMB's Office of Information and Regulatory Affairs (OIRA) reviews Federal information collections.

FOR FURTHER INFORMATION CONTACT: Ryan Mehm, Attorney, Bureau of Consumer Protection, (202) 326–2918, Federal Trade Commission, 600 Pennsylvania Ave. NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

Title: Health Breach Notification Rule.

OMB Control Number: 3084–0150.

Type of Review: Extension of a currently approved collection.

Likely Respondents: Vendors of personal health records, PHR related entities and third party service providers.

Estimated Annual Hours Burden: 4,654.

Estimated Frequency: 2,500 single-person breaches per year and 0.33 major breaches per year.

Total Annual Labor Cost: $90,739.[1]

Total Annual Capital or Other Non-Labor Cost: $31,632.[2]

Abstract: The Health Breach Notification Rule (Rule), 16 CFR part 318, requires vendors of personal health records (PHR) and PHR related entities to provide notice to: (1) consumers whose unsecured personally identifiable health information has been breached; (2) the Commission; and (3) in some cases, the media. The Rule only applies to electronic health records and does not include recordkeeping requirements. The Rule requires third party service providers (*e.g.,* those companies that provide services such as billing or data storage) to vendors of personal health records and PHR related entities to provide notification to such vendors and PHR related entities following the discovery of a breach. To notify the FTC of a breach, the Commission developed a simple, two-page form, which is posted at *https://www.ftc.gov/system/files/documents/rules/health-breach-notification-rule/health_breach_form.pdf.*

On February 25, 2022, the FTC sought public comment on the information collection requirements associated with the Rule. 87 FR 10792. The Commission received no germane comments. Pursuant to the OMB regulations, 5 CFR part 1320, that implement the PRA, 44 U.S.C. 3501 *et seq.,* the FTC is providing this second opportunity for public comment while seeking OMB approval to renew the pre-existing clearance for the Rules.

Your comment—including your name and your state—will be placed on the public record of this proceeding. Because your comment will be made public, you are solely responsible for making sure that your comment does not include any sensitive personal information, such as anyone's Social Security number; date of birth; driver's license number or other state identification number, or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure that your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any ''trade secret or any commercial or financial information which . . . is privileged or confidential''—as provided by Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including in particular competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Josephine Liu,

Assistant General Counsel for Legal Counsel.

[FR Doc. 2022–12088 Filed 6–3–22; 8:45 am]

BILLING CODE 6750–01–P

[1] Due to newly available information on hourly wage rates, the estimated annual labor costs were adjusted downward from $90,741 in the 60-Day FR Notice to $90,739 in the 30-Day FR Notice. See the updated mean hourly wages found at *https://www.bls.gov/news.release/ocwage.htm* (''Occupational Employment and Wages—May 2021,'' U.S. Department of Labor, released March 31, 2022, Table 1 (''National employment and wage data from the Occupational Employment Statistics survey by occupation, May 2021'').

[2] Due to newly available information on hourly wage rates, the estimated annual labor costs were adjusted upward from $31,056 in the 60-Day FR Notice to $31,632 in the 30-Day FR Notice. See footnote 1 for the updated source of this information.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Board of Scientific Counselors, Center for Preparedness and Response (BSC, CPR); Correction

Notice is hereby given of a change in the meeting of the Board of Scientific Counselors, Center for Preparedness and Response (BSC, CPR); June 1, 2022, from 1:00 p.m. to 5:00 p.m., EDT; and June 2, 2022, from 1:00 p.m. to 4:30 p.m., EDT, which was published in the **Federal Register** on April 22, 2022, Volume 87, Number 78, page 24168.

The dates and matters to be considered should read as follows:

DATES: The meeting will be held on June 1, 2022, from 1:00 p.m. to 5:00 p.m., EDT.

SUPPLEMENTARY INFORMATION:

Matters to be Considered: (1) CPR Preparedness and Response Strategic Plan Update; (2) The Next Generation of Public Health Emergency Preparedness (PHEP); (3) COVID–19 Response Update; (4) Strategic Capacity Building and Innovation Program Review Working Group (SRWG) Update; and (5) BSC Discussion of Future Meeting Topics. Agenda items are subject to change as priorities dictate.

FOR FURTHER INFORMATION CONTACT: Dometa Ouisley, Office of Science and Public Health Practice, Centers for Disease Control and Prevention, 1600 Clifton Road NE, Mailstop H21–6, Atlanta, Georgia 30329–4027; Telephone: (404) 639–7450; Email: *DOuisley@cdc.gov.*

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Kalwant Smagh,

Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.

[FR Doc. 2022–12089 Filed 6–3–22; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–7067–N]

Announcement of the Advisory Panel on Outreach and Education (APOE) June 23, 2022 Virtual Meeting

AGENCY: Centers for Medicare & Medicaid Services (CMS), Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: This notice announces the next meeting of the APOE (the Panel) in accordance with the Federal Advisory Committee Act. The Panel advises and makes recommendations to the Secretary of the U.S. Department of Health and Human Services (HHS) (the Secretary) and the Administrator of the Centers for Medicare & Medicaid Services (CMS) on opportunities to enhance the effectiveness of consumer education strategies concerning the Health Insurance Marketplace®, Medicare, Medicaid, and the Children's Health Insurance Program (CHIP). This meeting is open to the public.

DATES:

Meeting Date: Thursday, June 23, 2022 from 8:30 a.m. to 5:00 p.m. eastern daylight time (e.d.t).

Deadline for Meeting Registration, Presentations, Special Accommodations, and Comments: Thursday, June 16, 2022, 5:00 p.m. (e.d.t).

ADDRESSES:

Meeting Location: Virtual. All those who RSVP will receive the link to attend.

Presentations and Written Comments: Presentations and written comments should be submitted to: Walt Gutowski, Designated Federal Official (DFO), Office of Communications, Centers for Medicare & Medicaid Services, 200 Independence Avenue SW, Mailstop 325G HHH, Washington, DC 20201, 202–690–5742, or via email at *APOE@cms.hhs.gov.*

Registration: Persons wishing to attend this meeting must register at the website *https://www.eventbrite.com/e/apoe-june-23-2022-virtual-meeting-tickets-323499494697* or by contacting the DFO listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice, by the date listed in the **DATES** section of this notice. Individuals requiring sign language interpretation or other special accommodations should contact the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

FOR FURTHER INFORMATION CONTACT: Walt Gutowski, Designated Federal Official, Office of Communications, 200 Independence Avenue SW, Mailstop 325G HHH, Washington, DC 20201, 202–690–5742, or via email at *APOE@cms.hhs.gov.*

Additional information about the APOE is available at: *https://www.cms.gov/Regulations-and-Guidance/Guidance/FACA/APOE.* Press inquiries are handled through the CMS Press Office at (202) 690–6145.

SUPPLEMENTARY INFORMATION:

I. Background and Charter Renewal Information

A. Background

The Advisory Panel for Outreach and Education (APOE) (the Panel) is governed by the provisions of the Federal Advisory Committee Act (FACA) (Pub. L. 92–463), as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of federal advisory committees. The Panel is authorized by section 1114(f) of the Social Security Act (the Act) (42 U.S.C. 1314(f)) and section 222 of the Public Health Service Act (42 U.S.C. 217a).

The Secretary of the U.S. Department of Health and Human Services (HHS) (the Secretary) signed the charter establishing the Citizen's Advisory Panel on Medicare Education [1] (the predecessor to the APOE) on January 21, 1999 (64 FR 7899) to advise and make recommendations to the Secretary and the Administrator of the Centers for Medicare & Medicaid Services (CMS) on the effective implementation of national Medicare education programs, including with respect to the Medicare+Choice (M+C) program added by the Balanced Budget Act of 1997 (Pub. L. 105–33).

The Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) (Pub. L. 108–173) expanded the existing health plan options and benefits available under the M+C program and renamed it the Medicare Advantage (MA) program. CMS has had substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options available and better tools to evaluate these options. The successful MA program implementation required CMS to consider the views and policy input from a variety of private sector constituents and to develop a broad range of public-private partnerships.

In addition, Title I of the MMA authorized the Secretary and the Administrator of CMS (by delegation) to establish the Medicare prescription drug benefit. The drug benefit allows beneficiaries to obtain qualified prescription drug coverage. In order to effectively administer the MA program and the Medicare prescription drug benefit, we have substantial responsibilities to provide information to Medicare beneficiaries about the range of health plan options and benefits available, and to develop better tools to evaluate these plans and benefits.

The Patient Protection and Affordable Care Act (Pub. L. 111–148) and Health Care and Education Reconciliation Act of 2010 (Pub. L. 111–152) (collectively referred to as the Affordable Care Act) expanded the availability of other options for health care coverage and enacted a number of changes to Medicare as well as to Medicaid and CHIP. Qualified individuals and qualified employers are now able to purchase private health insurance coverage through a competitive marketplace, called an Affordable Insurance Exchange (also called Health Insurance Marketplace® or Marketplace® [2]). In order to effectively implement and administer these changes, we must provide information to consumers, providers, and other stakeholders through education and outreach programs regarding how existing programs will change and the expanded range of health coverage options available, including private health insurance coverage through the Marketplace®. The APOE (the Panel) allows us to consider a broad range of views and information from interested audiences in connection with this effort and to identify opportunities to enhance the effectiveness of education strategies concerning the Affordable Care Act.

The scope of this Panel also includes advising on issues pertaining to the education of providers and stakeholders with respect to the Affordable Care Act and certain provisions of the Health Information Technology for Economic and Clinical Health (HITECH) Act enacted as part of the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub. L. 111–5).

On January 21, 2011, the Panel's charter was renewed and the Panel was renamed the Advisory Panel for Outreach and Education. The Panel's charter was most recently renewed on January 19, 2021, and will terminate on January 19, 2023 unless renewed by appropriate action.

B. Charter Renewal

In accordance with the January 19, 2021 charter, the APOE will advise HHS and CMS on developing and implementing education programs that support individuals who are enrolled in or eligible for Medicare, Medicaid, CHIP, or coverage available through the Health Insurance Marketplace® and other CMS programs. The scope of this FACA group also includes advising on

[1] We note that the Citizen's Advisory Panel on Medicare Education is also referred to as the Advisory Panel on Medicare Education (65 FR 4617). The name was updated in the Second Amended Charter approved on July 24, 2000.

[2] Health Insurance Marketplace® and Marketplace® are service marks of the U.S. Department of Health and Human Services.

education of providers and stakeholders with respect to health care reform and certain provisions of the HITECH Act enacted as part of the ARRA.

The charter will terminate on January 19, 2023, unless renewed by appropriate action. The APOE was chartered under 42 U.S.C. 217a, section 222 of the Public Health Service Act, as amended. The APOE is governed by provisions of Public Law 92–463, as amended (5 U.S.C. Appendix 2), which sets forth standards for the formation and use of advisory committees.

In accordance with the renewed charter, the APOE will advise the Secretary and the CMS Administrator concerning optimal strategies for the following:

- Developing and implementing education and outreach programs for individuals enrolled in, or eligible for, Medicare, Medicaid, the CHIP, and coverage available through the Health Insurance Marketplace® and other CMS programs.
- Enhancing the federal government's effectiveness in informing Medicare, Medicaid, CHIP, or the Health Insurance Marketplace® consumers, issuers, providers, and stakeholders, pursuant to education and outreach programs of issues regarding these programs, including the appropriate use of public-private partnerships to leverage the resources of the private sector in educating beneficiaries, providers, partners and stakeholders.
- Expanding outreach to minority and underserved communities, including racial and ethnic minorities, in the context of Medicare, Medicaid, CHIP, and the Health Insurance Marketplace® education programs and other CMS programs as designated.
- Assembling and sharing an information base of ''best practices'' for helping consumers evaluate health coverage options.
- Building and leveraging existing community infrastructures for information, counseling, and assistance.
- Drawing the program link between outreach and education, promoting consumer understanding of health care coverage choices, and facilitating consumer selection/enrollment, which in turn support the overarching goal of improved access to quality care, including prevention services, envisioned under the Affordable Care Act.

The current members of the Panel as of April 7, 2022, are as follows:

- Julie Carter, Senior Federal Policy Associate, Medicare Rights Center.
- Scott Ferguson, Psychotherapist, Scott Ferguson Psychotherapy.
- Jean-Venable Robertson Goode, Professor, Department of Pharmacotherapy and Outcomes Science, School of Pharmacy, Virginia Commonwealth University.
- Ted Henson, Director of Health Center Performance and Innovation, National Association of Community Health Centers.
- Joan Ilardo, Director of Research Initiatives, Michigan State University, College of Human Medicine.
- Daisy Kim, Policy Manager, Asian & Pacific Islander American Health Forum.
- Cheri Lattimer, Executive Director, National Transitions of Care Coalition.
- Cori McMahon, Vice President, Tridiuum.
- Alan Meade, Director of Rehabilitation Services, Holston Medical Group.
- Neil Meltzer, President and CEO, LifeBridge Health.
- Michael Minor, National Director, H.O.P.E. HHS Partnership, National Baptist Convention USA, Incorporated.
- Jina Ragland, Associate State Director of Advocacy and Outreach, AARP Nebraska.
- Morgan Reed, Executive Director, Association for Competitive Technology.
- Margot Savoy, Senior Vice President, American Academy of Family Physicians.
- Congresswoman Allyson Schwartz, Senior Advisor, FTI Consulting.
- Matthew Snider, JD, Senior Policy Analyst, Unidos US.
- Tia Whitaker, Statewide Director, Outreach and Enrollment, Pennsylvania Association of Community Health Centers.

II. Provisions of This Notice

In accordance with section 10(a) of the FACA, this notice announces a meeting of the APOE. The agenda for the June 23, 2022 meeting will include the following:

- Welcome and listening session with CMS leadership
- Recap of the previous (April 7, 2022) meeting
- CMS programs, initiatives, and priorities
- An opportunity for public comment
- Meeting summary, review of recommendations, and next steps

Individuals or organizations that wish to make a 5-minute oral presentation on an agenda topic should submit a written copy of the oral presentation to the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice. The number of oral presentations may be limited by the time available. Individuals not wishing to make an oral presentation may submit written comments to the DFO at the address listed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

III. Meeting Participation

The meeting is open to the public, but attendance is limited to registered participants. Persons wishing to attend this meeting must register at the website *https://www.eventbrite.com/e/apoe-june-23-2022-virtual-meeting-tickets-323499494697* or contact the DFO at the address or number listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice by the date specified in the **DATES** section of this notice. This meeting will be held virtually. Individuals who are not registered in advance will be unable to attend the meeting.

IV. Collection of Information

This document does not impose information collection requirements, that is, reporting, recordkeeping, or third-party disclosure requirements. Consequently, there is no need for review by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

The Administrator of the Centers for Medicare & Medicaid Services (CMS), Chiquita Brooks-LaSure, having reviewed and approved this document, authorizes Lynette Wilson, who is the Federal Register Liaison, to electronically sign this document for purposes of publication in the **Federal Register**.

Dated: June 1, 2022.

Lynette Wilson,

Federal Register Liaison, Centers for Medicare & Medicaid Services.

[FR Doc. 2022–12136 Filed 6–3–22; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. FDA–2015–D–3787]

Electromagnetic Compatibility of Medical Devices; Guidance for Industry and Food and Drug Administration Staff; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability.

SUMMARY: The Food and Drug Administration (FDA or Agency) is

announcing the availability of a final guidance entitled ''Electromagnetic Compatibility (EMC) of Medical Devices.'' FDA has developed this guidance document to recommend information that should be provided in a premarket submission (*i.e.,* premarket approval application (PMA), humanitarian device exemption (HDE), premarket notification (510(k)) submission, investigational device exemption (IDE), De Novo request, and certain biologics license applications (BLAs) and investigational new drug (IND) applications to demonstrate electromagnetic compatibility (EMC) for electrically powered medical devices and medical devices with electrical or electronic functions. This guidance provides specific technical information to address the recommendations originally described in the guidance entitled ''Information to Support a Claim of Electromagnetic Compatibility (EMC) of Electrically-Powered Medical Devices,'' which was published July 11, 2016 (2016 EMC guidance).

DATES: The announcement of the guidance is published in the **Federal Register** on June 6, 2022.

ADDRESSES: You may submit either electronic or written comments on Agency guidances at any time as follows:

Electronic Submissions

Submit electronic comments in the following way:

- *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to *https://www.regulations.gov* will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else's Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on *https://www.regulations.gov.*

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see ''Written/Paper Submissions'' and ''Instructions'').

Written/Paper Submissions

Submit written/paper submissions as follows:

- *Mail/Hand Delivery/Courier (for written/paper submissions):* Dockets Management Staff (HFA–305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- *For written/paper comments submitted to the Dockets Management Staff,* FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in ''Instructions.''

Instructions: All submissions received must include the Docket No. FDA–2015–D–3787 for ''Electromagnetic Compatibility (EMC) of Medical Devices.'' Received comments will be placed in the docket and, except for those submitted as ''Confidential Submissions,'' publicly viewable at *https://www.regulations.gov* or at the Dockets Management Staff between 9 a.m. and 4 p.m., Monday through Friday, 240–402–7500.

- Confidential Submissions—To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states ''THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.'' The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on *https://www.regulations.gov.* Submit both copies to the Dockets Management Staff. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as ''confidential.'' Any information marked as ''confidential'' will not be disclosed except in accordance with 21 CFR 10.20 and other applicable disclosure law. For more information about FDA's posting of comments to public dockets, see 80 FR 56469, September 18, 2015, or access the information at: *https://www.govinfo.gov/content/pkg/FR-2015-09-18/pdf/2015-23389.pdf.*

Docket: For access to the docket to read background documents or the electronic and written/paper comments received, go to *https://www.regulations.gov* and insert the docket number, found in brackets in the heading of this document, into the ''Search'' box and follow the prompts and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852, 240–402–7500.

You may submit comments on any guidance at any time (see 21 CFR 10.115(g)(5)).

An electronic copy of the guidance document is available for download from the internet. See the **SUPPLEMENTARY INFORMATION** section for information on electronic access to the guidance. Submit written requests for a single hard copy of the guidance document entitled ''Electromagnetic Compatibility (EMC) of Medical Devices'' to the Office of Policy, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 66, Rm. 5431, Silver Spring, MD 20993–0002; or to the Office of Communication, Outreach and Development, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 3128, Silver Spring, MD 20993–0002. Send one self-addressed adhesive label to assist that office in processing your request.

FOR FURTHER INFORMATION CONTACT: Seth J. Seidman, Center for Devices and Radiological Health, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 62, Rm. 1108, Silver Spring, MD 20993–0002, 301–796–2477; or Stephen Ripley, Center for Biologics Evaluation and Research, Food and Drug Administration, 10903 New Hampshire Ave., Bldg. 71, Rm. 7301, Silver Spring, MD 20993–0002, 240–402–7911.

SUPPLEMENTARY INFORMATION:

I. Background

FDA has developed this guidance document to recommend information that should be provided in a premarket submission (*i.e.,* PMA, HDE, 510(k), IDE, De Novo request, and certain BLAs and IND applications) to demonstrate EMC for electrically powered medical devices and medical devices with electrical or electronic functions. Typically, the review of EMC information in a submission is based on the risk associated with malfunction or degradation of the medical device under consideration, where malfunction or degradation could be caused by inadequate EMC. The review is also based on the use of appropriate consensus standards. This guidance, when final, will replace the FDA guidance entitled ''Information to Support a Claim of Electromagnetic

Compatibility (EMC) of Electrically-Powered Medical Devices'' (2016 EMC guidance), which was published July 11, 2016. This guidance provides additional technical information to address the recommendations in the 2016 EMC guidance.

FDA recognizes and anticipates that the Agency and industry may need up to 1 year to perform activities to operationalize the policies within the guidance, *only* for in vitro diagnostic products. Because this guidance generally reflects current practice for the assessment of EMC for other device types, but some activities to fully operationalize the policies are needed (*e.g.,* updates to eSTAR [1]), FDA intends to implement this guidance 60 days after issuance for device types within the scope of this guidance, excluding in vitro diagnostic products. If new information regarding electromagnetic compatibility as outlined in this guidance is not included in a premarket submission for an in vitro diagnostic received by FDA before or up to 1 year after the publication of this guidance or for other device types within the scope of this guidance before or up to 60 days after the publication of this guidance, FDA does not generally intend to request such information during the review of the submission. FDA does, however, intend to review any such information if submitted.

A notice of availability of the draft guidance appeared in the **Federal Register** of November 17, 2020 (85 FR 73276). FDA considered comments received and revised the guidance as appropriate in response to the comments, including clarification of scope; addressing the use of IEC 60601–1–2:2020, which was published after the draft guidance was issued; and adding a transition period to facilitate the implementation of the guidance.

This guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115). The guidance represents the current thinking of FDA on EMC of medical devices. It does not establish any rights for any person and is not binding on FDA or the public. You can use an alternative approach if it satisfies the requirements of the applicable statutes and regulations.

II. Electronic Access

Persons interested in obtaining a copy of the guidance may do so by downloading an electronic copy from the internet. A search capability for all Center for Devices and Radiological Health guidance documents is available at *https://www.fda.gov/medical-devices/device-advice-comprehensive-regulatory-assistance/guidance-documents-medical-devices-and-radiation-emitting-products* or from the Center for Biologics Evaluation and Research at *https://www.fda.gov/vaccines-blood-biologics/guidance-compliance-regulatory-information-biologics/biologics-guidances.* This guidance document is also available at *https://www.regulations.gov* and *https://www.fda.gov/regulatory-information/search-fda-guidance-documents.* Persons unable to download an electronic copy of ''Electromagnetic Compatibility (EMC) of Medical Devices'' may send an email request to *CDRH-Guidance@fda.hhs.gov* to receive an electronic copy of the document. Please use the document number 1400057 and complete title to identify the guidance you are requesting.

III. Paperwork Reduction Act of 1995

While this guidance contains no new collection of information, it does refer to previously approved FDA collections of information. Therefore, clearance by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3521) is not required for this guidance. The previously approved collections of information are subject to review by OMB under the PRA. The collections of information in the following FDA regulations have been approved by OMB as listed in the following table:

21 CFR part	Topic	OMB Control No.
807, subpart E	Premarket notification	0910–0120
814, subparts A through E	Premarket approval	0910–0231
814, subpart H	Humanitarian Device Exemption	0910–0332
812	Investigational Device Exemption	0910–0078
860, subpart D	De Novo classification process	0910–0844
800, 801, and 809	Medical Device Labeling Regulations	0910–0485
803	Medical Devices; Medical Device Reporting; Manufacturer reporting, importer reporting, user facility reporting, distributor reporting.	0910–0437
820	Current Good Manufacturing Practice (CGMP); Quality System (QS) Regulation	0910–0073

Dated: May 31, 2022.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2022–12099 Filed 6–3–22; 8:45 am]

BILLING CODE 4164–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Office of the Director, National Institutes of Health; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities.

Date: June 28–29, 2022.

Time: 9:00 a.m. to 8:00 p.m.

[1] Available at *https://www.fda.gov/medical-devices/premarket-notification-510k/voluntary-estar-program.*

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Santanu Banerjee, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2106, Bethesda, MD 20892, (301) 435–5947, *banerjees5@mail.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.14, Intramural Research Training Award; 93.22, Clinical Research Loan Repayment Program for Individuals from Disadvantaged Backgrounds; 93.232, Loan Repayment Program for Research Generally; 93.39, Academic Research Enhancement Award; 93.936, NIH Acquired Immunodeficiency Syndrome Research Loan Repayment Program; 93.187, Undergraduate Scholarship Program for Individuals from Disadvantaged Backgrounds, National Institutes of Health, HHS)

Dated: May 31, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12043 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the National Cancer Institute Council of Research Advocates.

The meeting will be held as a virtual meeting and is open to the public. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting, should notify the Contact Person listed below in advance of the meeting. The meeting will be videocast and can be accessed from the NIH Videocasting and Podcasting website (*http://videocast.nih.gov*).

Name of Committee: National Cancer Institute Council of Research Advocates.

Date: June 29, 2022.

Time: 12:00 p.m. to 4:00 p.m.

Agenda: Welcome and Chairman's Remarks, NCI Updates, Legislative Update, and Acting Director's Update.

Place: National Institutes of Health, 9000 Rockville Pike, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Amy Williams, NCI Office of Advocacy Relations, National Cancer Institute, NIH, 31 Center Drive, Building 31, Room 10A28, Bethesda, MD 20892, (301) 496–9723, *williaam@mail.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: NCRA: *http://deainfo.nci.nih.gov/advisory/ncra/ncra.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS).

Dated: May 31, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12042 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Proposed Reorganization

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Institute of Biomedical Imaging and Bioengineering (NIBIB) will host a public hearing to enable public discussion of the Institute's proposal to establish the Center for Biomedical Imaging and Technology Acceleration (βETA). The proposed reorganization aims to accelerate the development, validation, and dissemination of high-impact biomedical technologies to address urgent national and global health needs.

DATES: The public hearing will take place on June 29, 2022, at 2 p.m. using NIBIB's social media accounts. Any interested party may also file written comments by sending an email to *NIBIBorgchange@nih.gov* prior or during the scheduled public hearing. The statement should include the individual's name, and when applicable, professional affiliation.

ADDRESSES: The following email address has been established for comments on the reorganization: *NIBIBorgchange@nih.gov.* The social media platforms that will be used and monitored during this hearing are:

- *Twitter: @NIBIBgov*
- *Facebook: https://www.facebook.com/nibibgov/*

FOR FURTHER INFORMATION CONTACT: Eva Kakoza, Management Analyst, National Institute of Biomedical Imaging and Bioengineering, NIH, (301) 402–4584, *NIBIBorgchange@nih.gov.*

SUPPLEMENTARY INFORMATION: Pursuant to the NIH Reform Act of 2006 (42 U.S.C. Sec.281 (d)(4)), NIBIB will have a public hearing to discuss the proposed reorganization plans. This announcement and the public forum serve as that notice. More information can be found at *https://www.nibib.nih.gov/about-nibib/proposed-org-changes.*

Jason M. Ford,

Executive Officer, National Institute of Biomedical Imaging and Biomedical Engineering, National Institutes of Health.

[FR Doc. 2022–12073 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel; RFA DK21–012 SBIR Review.

Date: June 29, 2022.

Time: 1:00 p.m. to 3:30 p.m.

Agenda: To review and evaluate grant applications.

Place: NIDDK, NIH, 6707 Democracy Blvd., Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ann A. Jerkins, Ph.D., Scientific Review Officer, Review Branch, DEA, NIDDK, National Institutes of Health, Room 7119, 6707 Democracy Boulevard, Bethesda, MD 20892–5452, 301–594–2242, *jerkinsa@niddk.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research;

93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: May 31, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12005 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel; PAR 22–102 & PAR 22–103: Investigational New Drug (IND)-Enabling and Early-Stage Development of Medications to Treat Alcohol Use Disorder and Alcohol-Associated Organ Damage.

Date: June 17, 2022.

Time: 1:00 p.m. to 3:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, National Institute on Alcohol Abuse and Alcoholism, 6700B Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ranga Srinivas, Ph.D., Chief, Extramural Project Review Branch, National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, 6700 B Rockledge Drive, Room 2114, Bethesda, MD 20892, (301) 451–2067, *srinivar@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants; 93.701, ARRA Related Biomedical Research and Research Support Awards, National Institutes of Health, HHS)

Dated: May 31, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12041 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; Notice of Closed Meetings

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meetings.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel Cancer Therapeutics and Drug Development.

Date: June 30–July 1, 2022.

Time: 10:00 a.m. to 9:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jonathan Arias, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5170, MSC 7840, Bethesda, MD 20892, (301) 435–2406, *ariasj@csr.nih.gov*.

Name of Committee: Genes, Genomes, and Genetics Integrated Review Group Maximizing Investigators' Research Award A Study Section.

Date: July 5–6, 2022.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Mollie Kim Manier, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (301) 594–0510, *mollie.manier@nih.gov*.

Name of Committee: Digestive, Kidney and Urological Systems, Integrated Review Group, Pathobiology of Kidney Disease, Study Section.

Date: July 6–7, 2022.

Time: 9:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Atul Sahai, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 2188, MSC 7818, Bethesda, MD 20892, 301–435–1198, *sahaia@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Molecular and Cellular Sciences and Technologies.

Date: July 6, 2022.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Raj K Krishnaraju, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6190, Bethesda, MD 20892, 301–435–1047, *kkrishna@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Fellowships: Oncology.

Date: July 6–7, 2022.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Nywana Sizemore, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6189, MSC 7804, Bethesda, MD 20892, 301–408–9916, *sizemoren@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Small Business: Computational, Modeling and Biodata Management.

Date: July 6, 2022.

Time: 10:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Marie-Jose Belanger, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Rm 6188, MSC 7804 Bethesda, MD 20892, (301) 435–1267, *belangerm@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Cellular and Molecular Aspects of the Blood-Brain Barrier and Neurovascular System and Therapeutic Strategies.

Date: July 7, 2022.

Time: 9:30 a.m. to 7:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Jacek Topczewski, Ph.D., Scientific Review Officer, Center for

Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1002A1, Bethesda, MD 20892, (301) 594–7574, *topczewskij2@csr.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Neuroscience AREA Grant Applications.

Date: July 7–8, 2022.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Ali Sharma, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 1009J, Bethesda, MD 20892, (301) 402–3248, *sharmaa15@mail.nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Cellular and Molecular Immunology.

Date: July 7–8, 2022.

Time: 11:00 a.m. to 8:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Thomas Y Cho, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 710B, Bethesda, MD 20892, (301) 402–4179, *thomas.cho@nih.gov*.

Name of Committee: Center for Scientific Review Special Emphasis Panel Member Conflict: Topics on Mycology and Parasitology.

Date: July 8, 2022.

Time: 10:00 a.m. to 6:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Charles Morrow, MD, Ph.D., Scientific Review Officer, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6202, MSC 7804 Bethesda, MD 20892, 301–408–9850, *morrowcs@csr.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: May 31, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12045 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of a meeting of the Board of Scientific Counselors, National Cancer Institute.

A portion of the meeting will be held as a virtual meeting and is open to the public as indicated below. Individuals who plan to view the virtual meeting and need special assistance or other reasonable accommodations to view the meeting, should notify the Contact Person listed below in advance of the meeting. The open session will be videocast and can be accessed from the NIH Videocasting and Podcasting website (*http://videocast.nih.gov/*).

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Cancer Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, National Cancer Institute.

Date: July 11, 2022.

Open: 11:00 a.m. to 11:35 a.m.

Agenda: Remarks from the NCI Acting Director.

Closed: 11:40 a.m. to 2:40 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Name of Committee: Board of Scientific Counselors, National Cancer Institute.

Date: July 12, 2022.

Closed: 11:00 a.m. to 3:30 p.m.

Agenda: To review and evaluate personnel qualifications and performance, and competence of individual investigators.

Place: National Cancer Institute, 9609 Medical Center Drive, Rockville, MD 20850 (Virtual Meeting).

Contact Person: Brian E. Wojcik, Ph.D., Senior Review Administrator, Institute Review Office, Office of the Director, National Cancer Institute, National Institutes of Health, 9609 Medical Center Drive, Room 3W414, Rockville, MD 20850, 240–276–5660, *wojcikb@mail.nih.gov*.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page: *https://deainfo.nci.nih.gov/advisory/bsc/index.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: May 31, 2022.

Melanie J. Pantoja,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12046 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Submission for OMB Review; 30-Day Comment Request; Hazardous Waste Worker Training—National Institute of Environmental Health Sciences

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

DATES: Comments regarding this information collection are best assured of having their full effect if received within 30-days of the date of this publication.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: To request more information on the proposed project or to obtain a copy of the data collection plans and instruments, contact: Sharon D. Beard, Director, Worker Training Program (WTP), Division of Extramural Research and Training (DERT), NIEHS, P.O. Box

12233 MD: K3–14, Research Triangle Park, NC 27709 or call non-toll-free number 984–287–3237 or email your request, including your address to: *beard1@niehs.nih.gov.*

SUPPLEMENTARY INFORMATION: This proposed information collection was previously published in the **Federal Register** on March 25, 2022, pages 17095–17096 (87 FR 17095) and allowed 60 days for public comment. No public comments were received. The purpose of this notice is to allow an additional 30 days for public comment. The National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health, may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid OMB control number.

In compliance with Section 3507(a)(1)(D) of the Paperwork Reduction Act of 1995, the National Institutes of Health (NIH) has submitted to the Office of Management and Budget (OMB) a request for review and approval of the information collection listed below.

Proposed Collection: Hazardous Waste Worker Training Grantee Data Collection—42 CFR part 65, 0925–0348, Expiration Date 07/31/2022 REVISION, National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health (NIH).

Need and Use of Information Collection: The NIEHS WTP is authorized by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Section 126(g) to fund multi-state or national non-profit organizations with a demonstrated track record in developing and delivering high quality training to workers who are involved in handling hazardous waste or in responding to emergency releases of hazardous materials. The WTP contains the Hazardous Waste Worker Training Program (HWWTP), the Environmental Career Worker Training Program (ECWTP), the HAZMAT Disaster Preparedness Training Program (HDPTP), and the NIEHS/Department of Energy (DOE) Nuclear Worker Training Program to fund nonprofit organizations to develop and administer model health and safety training programs for hazardous materials or waste workers. Respondent organizations are to provide information in accordance with § 65.4(a), (b), (c) and § 65.6(b) on the nature, duration, and purpose of the training; selection criteria for trainees' qualifications; competency of the project director and staff; cooperative arrangements of the consortia; and the adequacy of training plans and resources, including budget and response to meeting training criteria in the Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response Regulations (29 CFR 1910.120). The information collected is used by the Director through officers, employees, experts, and consultants to evaluate applications based on technical merit to determine whether to make awards, and whether appropriate training is being conducted to support continuation of the grant into subsequent years. The information collected the past three years has been utilized in training summaries containing information on numbers of workers trained, courses conducted and contact hours, progress reports, and highlights of accomplishments; to answer inquiries from Congress, NIH OD, HHS, NIEHS leadership, and other key leadership; to produce State Profiles and other communications materials that are requested and used by Congress and other external parties; to document and disseminate training activities related to supplemental funding and/or key topics, such as COVID–19, Opioids, the Disaster Relief Act of 2018, and environmental careers job training; to update the Curricula Catalog; to start the Material Upload and Search Tool for Infectious Disease (MUSTID) Resource Portal, an easy access resource on infectious disease and worker safety shared by and relevant to the WTP; to complete required reporting on the benefits and activities under the ECWTP for the White House Justice40 Initiative with ECWTP being named a pilot program for Justice40; and to monitor and report on Disaster Preparedness and Response activities. The NIEHS WTP Curricula Information and Data Management System (DMS), the system the WTP uses to collect this data from the WTP Grantees, is critical to the operation of the Program and the ability of the Program to continue the operations listed above. Without this data, the WTP would be unable to adequately describe program accomplishments to funders & government leadership, and unable to adequately monitor grants to ensure goals are being met. The WTP also funds Small Business Innovative Research (SBIR) grants, an e-Learning for HAZMAT Program that focuses on the development of e-Learning health and safety training products from a variety of delivery methods to assist both students and instructors in the training and education process. Since 2002 the WTP has funded 85 SBIR grants. The WTP would also like to ascertain the successes of the SBIR e-Learning program.

OMB approval is requested for three years. There are no costs to respondents other than their time. The total estimated annualized burden hours are 785.

ESTIMATED ANNUALIZED BURDEN HOURS

Form name	Type of respondent	Number of respondents	Number of responses per respondent	Average time per response (in hours)	Total annual burden hour
Information Collection Questionnaire (Data Management System) (HWWTP, DOE).	Grantee	25	2	14	700
Information Collection Questionnaire (Survey) SBIR	Grantee	85	1	1	85
Total		110	135		785

Jane M. Lambert,

Project Clearance Liaison, National Institute of Environmental Health Sciences, National Institutes of Health.

[FR Doc. 2022–12029 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Biomedical Imaging and Bioengineering; Notice of Proposed Reorganization

AGENCY: National Institutes of Health, HHS.

ACTION: Notice.

SUMMARY: The National Institute of Biomedical Imaging and Bioengineering (NIBIB) will host a public online forum to enable public discussion of the Institute's proposal to establish the Center for Biomedical Imaging and Technology Acceleration (βETA). The proposed reorganization aims to accelerate the development, validation, and dissemination of high-impact biomedical technologies to address urgent national and global health needs. The online forum will allow members of the public to review the reorganization proposal and submit comments.

DATES: The public online forum will become available on June 21, 2022, and will remain open for five calendar days, through June 25, 2022. Any interested person may file written comments by sending an email to *NIBIBorgchange@nih.gov.* The statement should include the individual's name, and when applicable, professional affiliation.

ADDRESSES: The public forum will be held online, at *https://www.nibib.nih.gov/about-nibib/proposed-org-changes* for the period of time listed above.

FOR FURTHER INFORMATION CONTACT: Eva Kakoza, Management Analyst, National Institute of Biomedical Imaging and Bioengineering, NIH, (301) 402–4584, *NIBIBorgchange*@nih.gov.

SUPPLEMENTARY INFORMATION: Pursuant to the NIH Reform Act of 2006 (42 U.S.C. Sec.281 (d)(4)), NIBIB will have a public hearing to discuss the proposed reorganization plans. This announcement and the public forum serve as that notice.

Jason M. Ford,

Executive Officer, National Institute of Biomedical Imaging and Biomedical Engineering, National Institutes of Health.

[FR Doc. 2022–12074 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Diabetes and Digestive and Kidney Diseases; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Diabetes and Digestive and Kidney Diseases Special Emphasis Panel Pilot and Feasibility Studies to Improve Technology Adoption and Reduce Health Disparities in Type 1 Diabetes Mellitus.

Date: June 24, 2022.

Time: 11:00 a.m. to 4:00 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, NIDDK, Rockledge II, 6701 Rockledge Drive, Bethesda, MD 20892 (Virtual Meeting).

Contact Person: Cheryl Nordstrom, Ph.D., MPH, Scientific Review Officer, NIDDK/Scientific Review Branch, National Institutes of Health, 6707 Democracy Blvd., Room 7013, Bethesda, MD 20892, 301–402–6711, *cheryl.nordstrom@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.847, Diabetes, Endocrinology and Metabolic Research; 93.848, Digestive Diseases and Nutrition Research; 93.849, Kidney Diseases, Urology and Hematology Research, National Institutes of Health, HHS)

Dated: May 31, 2022.

Miguelina Perez,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12006 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel; Promoting Reproductive Health for Adolescents and Adults with Disabilities (R01 Clinical Trial Optional).

Date: June 29, 2022.

Time: 10:00 a.m. to 5:00 p.m.

Agenda: To review and evaluate grant applications.

Place: Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Room 2125D, Bethesda, MD 20892 (Video Assisted Meeting).

Contact Person: Christiane M. Robbins, Scientific Review Officer, Scientific Review Branch, Eunice Kennedy Shriver National Institute of Child Health and Human Development, National Institutes of Health, 6710B Rockledge Drive, Rm. 2125D, Bethesda, MD 20817, (301) 451–4989, *crobbins@mail.nih.gov.*

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: May 31, 2022.

David W. Freeman,

Program Analyst, Office of Federal Advisory Committee Policy.

[FR Doc. 2022–12044 Filed 6–3–22; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0108]

Canadian Border Boat Landing Permit (CBP Form I–68)

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than August 5, 2022) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0108 in the subject line and the agency name. Please use the following method to submit comments:

Email. Submit comments to: *CBP_PRA@cbp.dhs.gov.*

Due to COVID–19-related restrictions, CBP has temporarily suspended its ability to receive public comments by mail.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at *https://www.cbp.gov/.*

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Canadian Border Boat Landing Permit.

OMB Number: 1651–0108.

Form Number: CBP Form I–68.

Current Actions: This submission is being made to extend the expiration date with a decrease to the burden hours. There is no change to the information collected.

Type of Review: Extension (with change).

Affected Public: Individuals or Households.

Abstract: The Canadian Border Boat Landing Permit, U.S. Customs and Border Protection (CBP) Form I–68, generally allows select individuals entering the United States along the northern border by small [1] pleasure boats to report their arrival and make entry without having to travel to a designated port of entry for an inspection by a CBP officer. The information collected on CBP Form I–68 allows eligible individuals to be inspected in person only once during the boating season, rather than each time they make an entry. United States citizens, Lawful Permanent Residents of the United States, Canadian citizens, and Landed Residents of Canada who are nationals of the Visa Waiver Program countries listed in 8 CFR 217.2(a) are eligible to apply for the permit.

CBP has developed a smart phone application known as ROAM that will in certain circumstances allow travelers participating in the I–68 program to report their arrival in the United States through the ROAM application, instead of by telephone. The ROAM app, implementing the I–68 program, will allow CBP officers to remotely conduct traveler interviews with a phone's video chat capability, and replace other technologies used for remote inspections that are obsolete or inefficient.

This information collection is provided for by 8 CFR 235.1(g) and Section 235 of Immigration and Nationality Act. CBP Form I–68 is accessible at: *https://www.cbp.gov/newsroom/publications/forms?title_1=I-68.*

Type of Information Collection: I–68 Paper Version.

Estimated Number of Respondents: 30.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 30.

Estimated Time per Response: 10 minutes.

Estimated Total Annual Burden Hours: 5 hours.

Type of Information Collection: I–68 Roam App.

Estimated Number of Respondents: 20,000.

Estimated Number of Annual Responses per Respondent: 1.

Estimated Number of Total Annual Responses: 20,000.

Estimated Time per Response: 5 minutes.

Estimated Total Annual Burden Hours: 1,666 hours.

Dated: May 31, 2022.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2022–12017 Filed 6–3–22; 8:45 am]

BILLING CODE P

[1] Weighing less than five net tons.

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

[1651–0035]

Holders or Containers Which Enter the United States Duty Free

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments; extension without change of an existing collection of information.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than August 5, 2022) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651–0035 in the subject line and the agency name. Please use the following method to submit comments:

Email. Submit comments to: *CBP_PRA@cbp.dhs.gov*.

Due to COVID–19-related restrictions, CBP has temporarily suspended its ability to receive public comments by mail.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229–1177, Telephone number 202–325–0056 or via email *CBP_PRA@cbp.dhs.gov.* Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877–227–5511, (TTY) 1–800–877–8339, or CBP website at *https://www.cbp.gov/*.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Holders or Containers Which Enter the United States Duty Free.

OMB Number: 1651–0035.

Form Number: N/A.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: Subheading 9803.00.50 of the Harmonized Tariff Schedule of the United States (HTSUS), codified as 19 U.S.C. 1202, provide for the release without entry or the payment of duty of certain substantial holders or containers pursuant to the provisions of 19 CFR 10.41b.

Section 19 CFR 10.41b eliminates the need for an importer to file entry documents by instead requiring, among other things, the marking of the containers or holders to indicate the HTSUS numbers that provide for duty-free treatment of the containers or holders.

For U.S. manufactured serially numbered holders or containers which may be released without entry or the payment of duty under 9801.00.10 HTSUS, 19 CFR 10.41b requires the owner to place the following markings on the holder or container: 9801.00.10, HTSUS (unless the holder or container has a permanently attached metal tag or plate showing, among other things, the name and address of the U.S. manufacturer); the name of the owner; and the serial number assigned by the owner. For serially numbered holders or containers of foreign manufacture for which may be released without entry or payment of duty under 9803.00.50 HTSUS, 19 CFR 10.41b requires the owner to place markings containing the following information: 9803.00.50 HTSUS; the district and port code numbers of the port of entry; the entry number; the last two digits of the fiscal year of entry covering the importation of the holders and containers on which duty was paid; the name of the owner; and the serial number assigned by the owner.

This collection of information applies to the importing and trade community which is familiar with import procedures and with the CBP regulations.

Type of Information Collection

Holders/Containers Entering U.S. Duty-Free

Estimated Number of Respondents: 20.

Estimated Number of Annual Responses per Respondent: 18.

Estimated Number of Total Annual Responses: 360.

Estimated Time per Response: 15 minutes.

Estimated Total Annual Burden Hours: 90.

Dated: May 31, 2022.

Seth D. Renkema,

Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.

[FR Doc. 2022–12021 Filed 6–3–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R8–ES–2022–0050; FXES11140800000–223–FF08ECAR00]

Endangered and Threatened Species; Receipt of an Incidental Take Permit Application and Low-Effect Habitat Conservation Plan for the San Bernardino Kangaroo Rat; Blossom Trails (Tract 20090) Project, City of Highland, San Bernardino County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received an application for an incidental take permit to take the federally listed San Bernardino kangaroo rat under the Endangered Species Act (ESA). The permit application includes a proposed low-effect habitat conservation plan (HCP). In accordance with the requirements of the National Environmental Policy Act (NEPA), we have prepared a draft low-effect screening form supporting our preliminary determination that the proposed action qualifies as a categorical exclusion under NEPA. We are accepting comments on the permit application, proposed low-effect HCP, and draft NEPA compliance documentation.

DATES: To ensure consideration, please send your written comments on or before July 6, 2022.

ADDRESSES:

Obtaining Documents: The documents this notice announces, as well as any

comments and other materials that we receive, will be available for public inspection online in Docket No. FWS–R8–ES–2022–0050 at *https://www.regulations.gov*.

Submitting Comments: You may submit comments by one of the following methods:

- *Online: https://www.regulations.gov*. Follow the instructions for submitting comments on Docket No. FWS–R8–ES–2022–0050.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R8–ES–2022–0050; U.S. Fish and Wildlife Service, 777 East Tahquitz Canyon Way, Suite 208, Palm Springs, CA 92262.

We request that you send comments by only one of the methods described above.

FOR FURTHER INFORMATION CONTACT: Ms. Karin Cleary-Rose, Division Supervisor, Carlsbad Fish and Wildlife Office, 760–322–2070. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), received an application from Blossom Trails (Tract 20090) Project Owner, S–P Deerfield, LLC (applicant), for an incidental take permit under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*). The requested permit would authorize take of the federally endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus*) incidental to grading, subdividing, and developing approximately 137 single-family dwelling units and open space, a recreational pool area, a water quality management plan basin, and a public services and facilities plan on approximately 25.5 acres in San Bernardino County, California.

The proposed project will impact an estimated 2.85 acres of habitat occupied by at least four San Bernardino kangaroo rats. Although not likely to support breeding of the species, an additional 19.15 acres of disturbed designated critical habitat will also be permanently impacted; however, of those additional acres of critical habitat, only 11.65 acres may support San Bernardino kangaroo rat foraging and sheltering.

We are requesting comments on the permit application and on our preliminary determination that the proposed HCP qualifies as a low-effect HCP, eligible for a categorical exclusion under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*). The basis for this determination is discussed in our draft NEPA compliance documentation, which is also available for public review.

Project

The project area is located on a 25.5-acre site in the City of Highland Hills in San Bernardino County, California. The applicant requests a 5-year incidental take permit for take associated with permanent impacts to 2.85 acres of occupied San Bernardino kangaroo rat habitat and 11.65 acres of unoccupied San Bernardino kangaroo rat habitat. The applicant proposes to mitigate impacts through the conservation of 11.5 acres of San Bernardino kangaroo rat occupied sage scrub habitat off site at the San Bernardino Valley Water Conservation District property in San Bernardino County. The off-site mitigation area provides higher quality habitat than that found on the project site and will be conserved, managed, and monitored in perpetuity. In addition, the off-site mitigation area is within designated San Bernardino kangaroo rat critical habitat.

The applicant's proposed HCP also contains measures to minimize the effects of construction activities on the San Bernardino kangaroo rat, including the following:

- Erecting an exclusion fence around the project site to exclude San Bernardino kangaroo rats;
- Providing a qualified biologist on site to ensure that San Bernardino kangaroo rats will not be harmed during fence construction, capture, and translocation activities; and
- Monitoring and reporting to the Service upon project completion.

Our Preliminary Determination

The Service has made a preliminary determination that the project, including grading, subdividing, construction, and the proposed mitigation, would individually and cumulatively have a minor or negligible effect on the San Bernardino kangaroo rat and the environment. Therefore, we have preliminarily concluded that the HCP is low effect and that the issuance of an incidental take permit for this project would qualify for a categorical exclusion under our NEPA regulations at 43 CFR 46.205 and 46.210.

A low-effect HCP is one that would result in:

- Minor or negligible effects on federally listed, proposed, and candidate species and their habitats;
- Minor or negligible effects on other environmental values or resources; and
- Impacts that, when considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not over time result in significant cumulative effects to environmental values or resources.

Next Steps

We will evaluate the proposed HCP and any comments received to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the above findings, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, we will issue the permit to the applicant for incidental take of the San Bernardino kangaroo rat.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10(c) (16 U.S.C. 1539 *et seq.*) of the ESA and NEPA regulations at 40 CFR 1506.6.

Scott Sobiech,

Field Supervisor, Carlsbad Fish and Wildlife Office, Carlsbad, California.

[FR Doc. 2022–12002 Filed 6–3–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R2–ES–2022–N027; FXES11130200000–223–FF02ENEH00]

Endangered and Threatened Wildlife and Plants; Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for a permit to conduct activities

intended to recover and enhance endangered species survival. With some exceptions, the Endangered Species Act prohibits certain activities that may impact endangered species unless a Federal permit allows such activity. The ESA also requires that we invite public comment before issuing these permits.

DATES: To ensure consideration, please submit your written comments by July 6, 2022.

ADDRESSES:

Document availability: Request documents by phone or email: Marty Tuegel 505–248–6651, *marty_tuegel@fws.gov.*

Comment submission: Submit comments by email to *fw2_te_permits@fws.gov.* Please specify the permit application you are interested in by number (*e.g.,* Permit Record No. PER1234567).

FOR FURTHER INFORMATION CONTACT: Marty Tuegel, Supervisor, Environmental Review Division, 505–248–6651. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

Background

With some exceptions, the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA's definition of ''take'' includes hunting, shooting, harming, wounding, or killing, and also such activities as pursuing, harassing, trapping, capturing, or collecting.

The ESA and our implementing regulations in the Code of Federal Regulations (CFR) at title 50, part 17, provide for issuing such permits and require that we invite public comment before issuing permits for activities involving listed species.

A recovery permit we issue under the ESA, section 10(a)(1)(A), authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or enhance the species' propagation or survival. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

Permit Applications Available for Review and Comment

Documents and other information submitted with these applications are available for review by any party who submits a request as specified in **ADDRESSES**. Our release of documents is subject to Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552) requirements.

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. We invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies. Please refer to the permit record number when submitting comments.

Permit record No.	Applicant	Species	Location	Activity	Type of take	Permit action
PER0040480	Green, Dana; Flagstaff, Arizona.	Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*).	Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia.	Presence/absence surveys, capture.	Harass, harm, capture.	Renew/Amend.
PER0039980	Green, Eric; Flagstaff, Arizona.	Indiana bat (*Myotis sodalis*), gray bat (*Myotis grisescens*).	Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia.	Presence/absence surveys, capture.	Harass, harm, capture.	Renew/Amend.
PER0036360	Aztec Engineering Inc.; Phoenix, Arizona.	Southwestern willow flycatcher (*Empidonax traillii extimus*), Yuma Ridgway's rail (*Rallus obsoletus yumanensis*).	California, Nevada	Presence/absence surveys.	Harass, harm.	Amend.
PER0040491	Velardi, Milu; Santa Fe, New Mexico.	New Mexico meadow jumping mouse (*Zapus hudsonius luteus*), Jemez Mountains salamander (*Plethodon neomexicanus*), Mexican long-nosed bat (*Leptonycteris nivalis*).	New Mexico	Presence/absence surveys, habitat assessment, nest monitoring, capture.	Harass, harm, capture.	New.
PER0040910	Henson, Jeremy; Round Rock, Texas.	Golden-cheeked warbler (*Setophaga chrysoparia*), Northern Aplomado Falcon (*Falco femoralis septentrionalis*), Red-cockaded woodpecker (*Picoides borealis*), Houston toad (*Bufo houstonensis*), Texas hornshell (*Popenaias popeii*), Sheepnose mussel (*Plethobasus cyphyus*).	Arizona, Illinois, New Mexico, Texas.	Presence/absence surveys, habitat assessment, quantitative surveys, qualitative surveys.	Harass, harm, capture.	Renew/Amend.

Permit record No.	Applicant	Species	Location	Activity	Type of take	Permit action
PER0041635	Gregory, Cody; San Antonio, Texas.	Golden-cheeked warbler (*Setophaga chrysoparia*).	Texas	Presence/absence surveys.	Harass, harm.	New.
PER0042593	Gielow, Kurt; Escondido, California.	Golden-cheeked warbler (*Setophaga chrysoparia*).	Texas	Presence/absence surveys.	Harass, harm.	New.
PER0042604	Malaney, Jason; Albuquerque, New Mexico.	New Mexico meadow jumping mouse (*Zapus hudsonius luteus*).	Arizona, Colorado, New Mexico	Presence/absence surveys.	Harass, harm, capture.	New.
PER0042610	Marshall, Bryce; Flagstaff, Arizona.	New Mexico meadow jumping mouse (*Zapus hudsonius luteus*), southwestern willow flycatcher (*Empidonax traillii extimus*), spikedace (*Meda fulgida*), loach minnow (*Tiaroga cobitis*).	Arizona, Colorado, New Mexico, Utah.	Presence/absence surveys.	Harass, harm.	Renew/Amend.
PER0043053	ZoOceanarium Group; St. Louis, Missouri.	Hawksbill sea turtle (*Eretmochelys imbricata*).	Texas	Rehabilitation, display for educational purposes.	Harass, harm.	New.

Public Availability of Comments

All comments we receive become part of the public record associated with this action. Requests for copies of comments will be handled in accordance with the Freedom of Information Act, National Environmental Policy Act, and Service and Department of the Interior policies and procedures. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

We provide this notice under section 10 of the ESA (16 U.S.C. 1531 *et seq.*).

Amy L. Lueders,

Regional Director, Southwest Region, U.S. Fish and Wildlife Service.

[FR Doc. 2022–12047 Filed 6–3–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–IA–2022–0033; FXIA16710900000–223–FF09A30000]

Marine Mammal Protection Act; Receipt of Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA) and foreign or native species for which the Service has jurisdiction under the Marine Mammal Protection Act (MMPA). With some exceptions, the ESA and the MMPA prohibit activities with listed species unless Federal authorization is issued that allows such activities. These Acts also require that we invite public comment before issuing permits for any activity they otherwise prohibit with respect to any species.

DATES: We must receive comments by July 6, 2022.

ADDRESSES:

Obtaining Documents: The application, application supporting materials, and any comments and other materials that we receive will be available for public inspection at *https://www.regulations.gov* in Docket No. FWS–HQ–IA–2022–0033.

Submitting Comments: When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. You may submit comments by one of the following methods:

- *Internet: https://www.regulations.gov*. Search for and submit comments on Docket No. FWS–HQ–IA–2022–0033.
- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS–HQ–IA–2022–0033; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041–3803.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Brenda Tapia, by phone at 703–358–2185, or via email at *DMAFR@fws.gov*. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

A. How do I comment on submitted applications?

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or fax, or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

B. May I review comments submitted by others?

You may view and comment on others' public comments at *https://www.regulations.gov,* unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

C. Who will see my comments?

If you submit a comment at *https://www.regulations.gov,* your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and section 104(c) of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), we invite public comments on permit applications before final action is taken. With some exceptions, the Acts prohibit certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17. Service regulations regarding permits for any activity otherwise prohibited by the MMPA with respect to any marine mammals are available in title 50 of the Code of Federal Regulations in part 18.

Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the marine mammal applications to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

III. Marine Mammal Protection Act Permit Applications

We invite comments on the following applications.

Permit No. PER0033795

Applicant: Dorothy N. Baker, UC Santa Cruz, Santa Cruz, CA

The applicant requests a permit to import 81 dugong (*Dugong dugon*) DNA extracts, from New Caledonia, for the purpose of scientific research. This notification is for a single import.

Permit No. PER0040980 (Legacy PRT #84799B)

Applicant: Randall Davis, Texas A&M University Galveston Campus, Galveston, TX

The applicant requests a renewal of their permit to observe and film northern sea otters (*Enhydra lutris kenyoni*) in Prince William Sound, Alaska, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

IV. Next Steps

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching *https://www.regulations.gov* for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to *regulations.gov* and search for ''12345A''.

V. Authority

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations, and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and its implementing regulations.

Brenda Tapia,

Supervisory Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

[FR Doc. 2022–11999 Filed 6–3–22; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Geological Survey

[GX22EN05ES90000; OMB Control Number 1028–NEW]

Agency Information Collection Activities; Evaluation of the Arctic Rivers Project

AGENCY: U.S. Geological Survey, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (PRA), the U.S. Geological Survey (USGS) is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before August 5, 2022.

ADDRESSES: Send your comments on this information collection request (ICR) by mail to U.S. Geological Survey, Information Collections Officer, 12201 Sunrise Valley Drive MS 159, Reston, VA 20192; or by email to *gs-info_collections@usgs.gov*. Please reference OMB Control Number 1028–NEW in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Ryan Toohey by email at *rtoohey@usgs.gov* or by telephone at 907–865–7802. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. You may also view the ICR at *https://www.reginfo.gov/public/do/PRAMain.*

SUPPLEMENTARY INFORMATION: In accordance with the PRA, we provide the general public and other Federal agencies with an opportunity to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's

reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are soliciting comments on the proposed ICR that is described below. We are especially interested in public comment addressing the following issues: (1) is the collection necessary to the proper functions of the USGS; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the USGS enhance the quality, utility, and clarity of the information to be collected; and (5) how might the USGS minimize the burden of this collection on the respondents, including through the use of information technology.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personally identifiable information (PII) in your comment, you should be aware that your entire comment—including your PII—may be made publicly available at any time. While you can ask us in your comment to withhold your PII from public review, we cannot guarantee that we will be able to do so.

Abstract: We will collect information from stakeholders of the Arctic Rivers Project, which include representatives of Indigenous communities in Alaska, representatives of Indigenous organizations, and others regarding the effectiveness of participatory methods and achievement of overall project goals. Evaluation information will be collected via semi-structured interviews, surveys, and polls. Questions will focus on the relevancy of the project to participants, methods used to engage with participants, feedback about project components, input for the direction of the project, preferred communication methods, current and future use of project products. This information will allow for a greater understanding of the effectiveness of community engagement, the co-production process, and participation in the direction of the project. This information will help guide the project through its various phases, and it will help enhance communication and product development.

Title of Collection: Evaluation of the Arctic Rivers Project.

OMB Control Number: 1028–NEW.

Form Number: None.

Type of Review: NEW.

Respondents/Affected Public: Individuals/Tribal governments.

Total Estimated Number of Annual Respondents: 150.

Total Estimated Number of Annual Responses: 150.

Estimated Completion Time per Response: 60 minutes.

Total Estimated Number of Annual Burden Hours: 150.

Respondent's Obligation: Voluntary.

Frequency of Collection: Once per year for two years.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq*).

Stephen Gray,

Alaska Climate Adaptation Science Center Director, U.S. Geological Survey.

[FR Doc. 2022–12133 Filed 6–3–22; 8:45 am]

BILLING CODE 4338–11–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMTL01000–L161000000.PN0000–223; MO #4500161643; MTM–89170–02]

Notice of Proposed Withdrawal and Public Meeting; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of proposed withdrawal.

SUMMARY: The Secretary of the Interior proposes to withdraw 912.33 acres of public lands in Phillips County, Montana, from appropriation under the public land laws, including location and entry under the United States mining laws, but not from the mineral leasing or the mineral materials disposal laws for up to 20 years, subject to valid existing rights, to protect the Zortman-Landusky Mine reclamation site. Publication of this notice segregates the lands from the laws specified for up to 2 years, subject to valid existing rights. This notice initiates a 90-day public comment period and announces an opportunity to participate in a virtual public meeting.

DATES: Comments must be received by September 6, 2022.

A virtual (online) public meeting in connection with the withdrawal application and segregation will be held on June 21, 2022, at 4:00 p.m. Mountain Time.

ADDRESSES: All comments should be sent to: Malta Field Office, Attn: Field Manager, 501 South 2nd St East, Malta, Montana 59538; or sent by email to *mrlee@blm.gov.* The Bureau of Land Management (BLM) will not consider comments received via telephone.

The virtual meeting will be held via Zoom at *https://blm.zoomgov.com/j/1616502018?pwd=d1hHenZNdnk2ZmhqY0tPaFUxMUFaUT09.* Meeting ID: 161 650 2018. Passcode: 544914. Or call 833–568–8864 US Toll-free.

FOR FURTHER INFORMATION CONTACT: Micah Lee, Realty Specialist, Havre Field Office, BLM Montana/Dakotas, telephone: (406) 262–2851, email: *mrlee@blm.gov;* or you may contact the BLM office at the address noted earlier. Persons in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 7–1–1 (TTY, TDD, or Tele Braille) to access telecommunications relay services to contact Ms. Lee. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: The applicant is the BLM and its petition/application requests the Secretary of the Interior to withdraw the following-described public lands from appropriation under the public land laws, including location and entry under the United States mining laws, but not from leasing under the mineral leasing and mineral materials disposal laws, subject to valid existing rights, to protect the Zortman-Landusky Mine area and to facilitate reclamation and stabilization for a 20-year term.

Principal Meridian, Montana

T. 25 N., R. 24 E.,
- sec. 1, lots 14 and 15;
- sec. 11, lot 9;
- sec. 12, lots 11, 12, 13, 17, and 25;
- sec. 13, NE¼NE¼;
- sec. 14, lot 3;
- sec. 21, NE¼NE¼;
- sec. 22, SE¼SW¼SW¼, S½SE¼SW¼, NE¼SE¼, E½SE¼SE¼, NW¼SE¼SE¼, E½SW¼SE¼SE¼, and NW¼SW¼SE¼SE¼;
- sec. 23, E½NE¼.

T. 25 N., R. 25 E.,
- sec. 6, lots 13 thru 16, lot 18, NE¼SW¼, and SE¼;
- sec. 16, lot 2, N½NW¼SW¼, N½SE¼NW¼SW¼, S½SW¼SW¼SW¼, S½SE¼SW¼SW¼, NE¼SE¼SW¼, S½SE¼SW¼, and SW¼SE¼;
- sec. 17, NE¼NE¼, SW¼NE¼NW¼SE¼, S½NW¼NW¼SE¼, SW¼NW¼SE¼, W½SE¼NW¼SE¼, W½NE¼SW¼SE¼, W½SW¼SE¼, SE¼SW¼SE¼, and S½SE¼SE¼.

The areas described aggregate 912.33 acres.

The BLM petition/application has been approved by the Secretary of the Interior and therefore it constitutes a withdrawal proposal of the Secretary of the Interior (43 CFR 2310.1–3(e)).

The use of a right-of-way, interagency agreement, or cooperative agreement would not provide adequate protection of the Federal investment in the mine reclamation work located on the lands.

No additional water rights will be needed to fulfill the purpose of this new withdrawal.

There are no suitable alternative sites to facilitate mining reclamation since the location of the mines and necessary reclamation materials are fixed.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

For a period until June 6, 2024 including location and entry under the United States mining laws, but not from leasing under the mineral leasing and mineral materials disposal laws, subject to valid existing rights, unless the application is denied or canceled, or the withdrawal is approved prior to that date. The BLM is preparing an environmental assessment evaluating the environmental consequences of a similar withdrawal of 2,688.13 acres proposed to protect the Zortman-Landusky Mine reclamation site, announced in the **Federal Register** on October 7, 2020 (85 FR 63289), and is including evaluation of the withdrawal proposed here in that analysis. Information regarding both proposed withdrawals, including environmental and other reviews, will be available at the Montana/Dakotas State Office and on the BLM's ePlanning site at *https://eplanning.blm.gov/eplanning-ui/project/2003949/510.*

Licenses, permits, cooperative agreements, or discretionary land use authorizations of a temporary nature that will not significantly impact the values to be protected by the withdrawal may be allowed with the approval of the authorized officer of the BLM during the temporary segregation period.

The application will be processed in accordance with the regulations set-forth in 43 CFR 2300.

Theresa M. Hanley,

Acting Montana/Dakotas State Director.

[FR Doc. 2022–12103 Filed 6–3–22; 8:45 am]

BILLING CODE 4310–DN–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0033984; PPWOCRADN0–PCU00RP14.R50000]

Notice of Intent To Repatriate Cultural Items: Tennessee Valley Authority, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Tennessee Valley Authority (TVA), in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, has determined that the cultural items listed in this notice meet the definition of sacred objects. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request to the TVA. If no additional claimants come forward, transfer of control of the cultural items to the lineal descendants, Indian Tribes, or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to the TVA at the address in this notice by July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Ms. Marianne Shuler, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902–1401, telephone (865) 253–1265, email *mmshuler@tva.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items under the control of the Tennessee Valley Authority, Knoxville, TN, that meet the definition of sacred objects under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American cultural items. The National Park Service is not responsible for the determinations in this notice.

History and Description of the Cultural Items

Between 1989 and November of 1990, cultural items were removed from Dust Cave, site 1LU496, in Lauderdale County, AL. Dust Cave is situated on a bluff adjacent to the right descending bank of the Tennessee River inside TVA's Pickwick Reservoir. The cave was recorded in the 1980s by Richard Cobb following exploration by local speleologists. A subsequent evaluation of caves adjacent to Pickwick Reservoir verified that Dust Cave had a human habitation of considerable antiquity. Dust Cave was the focus of excavations by the University of Alabama from 1989 to 2002. The two sacred objects are one lot of dog remains and one lot of lithics.

Based on oral traditional information provided during consultation with The Chickasaw Nation about the role of the white dog Ofi' Tohbi Ishto' in the Chickasaw Migration story and the need of The Chickasaw Nation to venerate these animals alongside ancestral remains in current day reburial practices, TVA has determined that the dog remains and the lithics are sacred objects.

Determinations Made by the Tennessee Valley Authority

Officials of the Tennessee Valley Authority have determined that:

- Pursuant to 25 U.S.C. 3001(3)(C), the two cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the sacred objects and the Cherokee Nation; Eastern Band of Cherokee Indians, and The Chickasaw Nation (hereafter referred to as ''The Tribes'').

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to claim these cultural items should submit a written request with information in support of the claim to Ms. Marianne Shuler, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902–1401, telephone (865) 253–1265, email *mmshuler@tva.gov,* by July 6, 2022.

After that date, if no additional claimants have come forward, transfer of control of the sacred objects to The Tribes may proceed.

The Tennessee Valley Authority is responsible for notifying The Tribes that this notice has been published.

Dated: May 25, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022–12110 Filed 6–3–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0034001; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Colorado Museum, Boulder, CO

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Colorado Museum has completed an inventory of human remains, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to the University of Colorado Museum. If no additional requestors come forward, transfer of control of the human remains to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to the University of Colorado Museum at the address in this notice by July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Dr. Samantha G. Fladd, University of Colorado Museum, 1030 Broadway, Boulder, CO 80309, telephone (303) 492–6671, email *samantha.fladd@colorado.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of the University of Colorado Museum, Boulder, CO. The human remains were removed from unknown locations.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains and associated funerary objects was made by the University of Colorado professional staff in consultation with representatives of the Assiniboine & Sioux Tribes of the Fort Peck Reservation, Montana; Cheyenne and Arapaho Tribes, Oklahoma (*previously* listed as Cheyenne-Arapaho Tribes of Oklahoma); Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Eastern Shoshone Tribe of the Wind River Reservation, Wyoming (*previously* listed as Shoshone Tribe of the Wind River Reservation, Wyoming); Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Kiowa Indian Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico, & Utah; Northern Arapaho Tribe of the Wind River Reservation, Wyoming (*previously* listed as Arapaho Tribe of the Wind River Reservation, Wyoming); Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Ohkay Owingeh, New Mexico (*previously* listed as Pueblo of San Juan); Pawnee Nation of Oklahoma; Pueblo of Acoma, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Tesuque, New Mexico; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Shoshone-Bannock Tribes of the Fort Hall Reservation; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; The Osage Nation (*previously* listed as Osage Tribe); Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Ute Tribe (*previously* listed as Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, & Utah); Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma; and the Ysleta del Sur Pueblo (*previously* listed as Ysleta Del Sur Pueblo of Texas).

The following Indian Tribes were invited to consult but did not participate: Apache Tribe of Oklahoma; Crow Tribe of Montana; Fort Sill Apache Tribe of Oklahoma; Oglala Sioux Tribe (*previously* listed as Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Pueblo of Cochiti, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Zia, New Mexico; San Juan Southern Paiute Tribe of Arizona; Santo Domingo Pueblo (*previously* listed as Kewa Pueblo, New Mexico, and as Pueblo of Santo Domingo); Standing Rock Sioux Tribe of North & South Dakota; Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Hereafter, all the Indian Tribes listed in this section are referred to as ''The Consulted and Notified Tribes.''

History and Description of the Remains

At an unknown date, human remains representing, at minimum, 121 individuals (TIN 738–746) were removed from multiple unknown locations. The human remains represent seven infants, 29 children, and 85 adults, many of whom are represented by only a small number of skeletal elements. No known individuals were identified. No associated funerary objects are present.

Pursuant to 43 CFR 10.16, the Secretary of the Interior may make a recommendation for a transfer of control of the culturally unidentifiable human remains. In February 2022, the University of Colorado Museum requested that the Secretary, through the Native American Graves Protection and Repatriation Review Committee, recommend the proposed transfer of control of the culturally unidentifiable Native American human remains in this notice to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado and the Ute Mountain Ute Tribe (*previously* listed as Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, & Utah). The Review Committee, acting pursuant to its responsibility under 25 U.S.C. 3006(c)(5), considered the request at its February 2022 meeting and recommended to the Secretary that the proposed transfer of control proceed. An April 2022 letter on behalf of the Secretary of Interior from the Designated Federal Official transmitted the

Secretary's independent review and concurrence with the Review Committee that:

- the University of Colorado Museum consulted with every appropriate Indian Tribe or Native Hawaiian organization,
- none of The Consulted and Notified Tribes objected to the proposed disposition, and
- the University of Colorado Museum may proceed with the proposed disposition of the culturally unidentifiable humans to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado and the Ute Mountain Ute Tribe (*previously* listed as Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, & Utah).

Transfer of control is contingent on the publication of a Notice of Inventory Completion in the **Federal Register**. This notice fulfills that requirement.

Determinations Made by the University of Colorado Museum

Officials of the University of Colorado Museum have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American, based on an osteological analysis by the Metropolitan State University Human Identification Laboratory and the research and collecting practices of the Anthropology Department of the University of Colorado.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 121 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and any present-day Indian Tribe.
- Pursuant to 43 CFR 10.10(g)(2) and 10.16, the disposition of the human remains may be to the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado and the Ute Mountain Ute Tribe (*previously* listed as Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, & Utah) (hereafter referred to as ''The Tribes'').

Additional Requestors and Disposition

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to Dr. Samantha G. Fladd, University of Colorado Museum, 1030 Broadway, Boulder, CO 80309, telephone (303) 492–6671, email *samantha.fladd@colorado.edu,* by July 6, 2022. After that date, if no additional requestors have come forward, transfer of control of the human remains to The Tribes may proceed.

The University of Colorado Museum is responsible for notifying The Consulted and Notified Tribes that this notice has been published.

Dated: May 25, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022–12116 Filed 6–3–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–AKR–GAAR–NPS0033345; PPAKGAARC6 PPMPRLE1Z.LS0000; OMB Control Number 1024–NEW]

Agency Information Collection Activities; Gates of the Arctic National Park and Preserve (GAAR), Dall's Sheep Traditional Cultural Landscape Study

AGENCY: National Park Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 we, the National Park Service (NPS), are proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before August 5, 2022.

ADDRESSES: Please provide a copy of your comments to the NPS Information Collection Clearance Officer (ADIR–ICCO), 12201 Sunrise Valley Drive, (MS –242) Reston, VA 20191 (mail); or *phadrea_ponds@nps.gov* (email). Please include ''1024–NEW GAAR Dall's Sheep'' in the subject line of your comments.

FOR FURTHER INFORMATION CONTACT: To request additional information about this ICR, contact Marcy Okada by email at *marcy_okada@nps.gov,* or by telephone at (907) 455–0639. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

SUPPLEMENTARY INFORMATION: In accordance with the Paperwork Reduction Act of 1995 (PRA) and 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. 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.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

(1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility.

(2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used.

(3) Ways to enhance the quality, utility, and clarity of the information to be collected.

(4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (*e.g.,* permitting electronic submission of response).

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Abstract: The Alaska National Interest Lands Conservation Act (ANILCA) provides the opportunity for qualified rural residents to harvest subsistence resources in national parks, preserves and monuments in Alaska. Under the provisions of ANILCA, subsistence harvests by local rural residents are considered to be the priority consumptive use of park resources. This

collection will gather traditional use information on subsistence harvest patterns, specifically Dall's sheep (*Ovis dalli*) in the southern Brooks Range, within Gates of the Arctic National Park and Preserve (GAAR). This project will be a collaborative practice of research that will include in-person interviews with sheep hunters living in the Alaska Native villages of Alatna and Allakaket. This collection will provide a better understanding about the experiences of local subsistence harvesters and the importance of cultural and traditional knowledge regarding Dall's Sheep.

Title of Collection: Gates of the Arctic National Park and Preserve (GAAR), Dall's Sheep Traditional Cultural Landscape Study.

OMB Control Number: 1024–NEW.

Form Number: None.

Type of Review: New.

Respondents/Affected Public: Individuals or households involved in Sheep Hunting; state, local or Tribal Government.

Total Estimated Number of Annual Respondents: 20.

Estimated Completion Time per Response: 60 minutes.

Total Estimated Number of Annual Burden Hours: 20 hours.

Respondent's Obligation: Voluntary.

Frequency of Collection: Once.

Total Estimated Annual Nonhour Burden Cost: None.

An agency may not conduct or sponsor nor is a person is required to respond to a collection of information unless it displays a currently valid OMB control number.

The authority for this action is the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Phadrea Ponds,

Information Collection Clearance Officer, National Park Service.

[FR Doc. 2022–12062 Filed 6–3–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0033999; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: University of Wisconsin Oshkosh, Oshkosh, WI

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The University of Wisconsin Oshkosh has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes or Native Hawaiian organizations and has determined that there is no cultural affiliation between the human remains and associated funerary objects and any present-day Indian Tribes or Native Hawaiian organizations. Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to the University of Wisconsin Oshkosh. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the University of Wisconsin Oshkosh at the address in this notice by July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Adrienne Frie, University of Wisconsin Oshkosh, 800 Algoma Blvd., Oshkosh, WI 54901, telephone (920) 424–1365, email *friea@uwosh.edu.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the University of Wisconsin Oshkosh, Oshkosh, WI. The human remains and associated funerary objects were removed from Winnebago County, WI.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by the University of Wisconsin Oshkosh professional staff in consultation with representatives of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; Bay Mills Indian Community, Michigan; Flandreau Santee Sioux Tribe of South Dakota; Forest County Potawatomi Community, Wisconsin; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Ho-Chunk Nation of Wisconsin; Kickapoo Tribe of Oklahoma; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Little Shell Tribe of Chippewa Indians of Montana; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Menominee Indian Tribe of Wisconsin; Minnesota Chippewa Tribe, Minnesota (Fond du Lac Band; Mille Lacs Band; White Earth Band); Nottawaseppi Huron Band of the Potawatomi, Michigan (*previously* listed as Huron Potawatomi, Inc.); Oneida Nation (*previously* listed as Oneida Tribe of Indians of Wisconsin); Onondaga Nation; Otoe-Missouria Tribe of Indians, Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Prairie Band Potawatomi Nation (*previously* listed as Prairie Band of Potawatomi Nation, Kansas); Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Saginaw Chippewa Indian Tribe of Michigan; Sault Ste. Marie Tribe of Chippewa Indians, Michigan; Shakopee Mdewakanton Sioux Community of Minnesota; Sokaogon Chippewa Community, Wisconsin; Standing Rock Sioux Tribe of North & South Dakota; Stockbridge Munsee Community, Wisconsin; Winnebago Tribe of Nebraska; and one non-federally recognized Indian group, Brothertown Indian Nation.

An invitation to consult was extended to the Cayuga Nation; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana (*previously* listed as Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana); Citizen Potawatomi Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Hannahville Indian Community, Michigan; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Keweenaw Bay Indian Community, Michigan; Kickapoo Traditional Tribe of Texas; Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin; Little River Band of Ottawa Indians, Michigan; Little Traverse Bay Bands of Odawa Indians, Michigan; Lower Brule

Sioux Tribe of the Lower Brule Reservation, South Dakota; Lower Sioux Indian Community in the State of Minnesota; Miami Tribe of Oklahoma; Minnesota Chippewa Tribe, Minnesota (Bois Forte Band (Nett Lake); Grand Portage Band; Leech Lake Band); Oglala Sioux Tribe (*previously* listed as Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Oneida Indian Nation (*previously* listed as Oneida Nation of New York); Ottawa Tribe of Oklahoma; Peoria Tribe of Indians of Oklahoma; Prairie Island Indian Community in the State of Minnesota; Red Lake Band of Chippewa Indians, Minnesota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Saint Regis Mohawk Tribe (*previously* listed as St. Regis Band of Mohawk Indians of New York); Santee Sioux Nation, Nebraska; Seneca Nation of Indians (*previously* listed as Seneca Nation of New York); Seneca-Cayuga Nation (*previously* listed as Seneca-Cayuga Tribe of Oklahoma); Spirit Lake Tribe, North Dakota; St. Croix Chippewa Indians of Wisconsin; The Osage Nation (*previously* listed as Osage Tribe); Tonawanda Band of Seneca (*previously* listed as Tonawanda Band of Seneca Indians of New York); Turtle Mountain Band of Chippewa Indians of North Dakota; Tuscarora Nation; Upper Sioux Community, Minnesota; Yankton Sioux Tribe of South Dakota; and two non-federally recognized Indian groups, the Burt Lake Band of Ottawa and Chippewa Indians; and the Grand River Band of Ottawa Indians.

Hereafter, all Indian Tribes and groups listed in this section are referred to as ''The Consulted and Notified Tribes and Groups.''

History and Description of the Remains

Sometime prior to 1972, human remains representing, at minimum, two individuals were removed from the Hoffman Site (47–WN–0132) in Winnebago County, WI. In 1972, James Peterson gathered a private collection from the site and donated it to the University of Wisconsin Oshkosh. According to Alaric Faulkner, who accepted the donation on behalf of University of Wisconsin Oshkosh, Peterson's collection includes technologically uniform lithic materials of limited use for dating the site. The range of ceramic types point Faulkner towards a Late Woodland and Oneota association. Faulkner notes a ground stone piece that is a ''probable mid-section of a 'bird stone.' '' The human remains had been commingled with the other materials in this donation. The human remains belong to an individual 1.9–3.2 years old (47WN0132_PETERS.0001.HR.0001a through 47WN1032_PETERS.0001.HR.0004a) and an individual 11.8–13.2 years old (47WN0132_PETERS.0001.HR.0001b). No known individuals were identified. The 23 associated funerary objects are one lot of kaolin pipe fragments (47WN0132_PETERS.0001.CC.0001 through 47WN0132_PETERS.0001.CC.0004), one ground stone bird fragment (47WN0132_PETERS.0001.LI.0001), two pieces of ground hematite (47WN0132_PETERS.0001.LI.0002), one lot of projectile points (47WN0132_PETERS.0001.LI.0003 through 47WN0132_PETERS.0001.LI.0006), one lot of chipped stone flake tools (47WN0132_PETERS.0001.LI.0007), one lot of debitage pieces (47WN0132_PETERS.0001.LI.0008), one pre-contact ceramic pipe (47WN0132_PETERS.0001.PC.0001), one lot of Lake Winnebago Trailed, grit-tempered sherds (47WN0132_PETERS.0001.PC.0002 through 47WN0132_PETERS.0001.PC.0003), one grit-tempered, cord-wrapped paddled body sherd (47WN0132_PETERS.0001.PC.0004), one lot of grit-tempered, smoothed sherds (47WN0132_PETERS.0001.PC.0005 and 47WN0132_PETERS.0001.PC.0008), one grit-tempered, trailed body sherd (47WN0132_PETERS.0001.PC.0006), one lot of grit-tempered, cord-marked sherds (47WN0132_PETERS.0001.PC.0007 and 47WN0132_PETERS.0001.PC.0009), one lot of grit-tempered sherds with incised decoration (47WN0132_PETERS.0001.PC.0010 and 47WN0132_PETERS.0001.PC.0013), one grit-tempered rim sherd with punctate decoration (47WN0132_PETERS.0001.PC.0011), one lot of grit-tempered sherds with fingernail impressions (47WN0132_PETERS.0001.PC.0012), one lot of grit-tempered sherds with brushed surfaces (47WN0132_PETERS.0001.PC.0014), one lot of shell-tempered sherds with trailed decoration (47WN0132_PETERS.0001.PC.0015), one lot of shell-tempered sherds with impressed decoration (47WN0132_PETERS.0001.PC.0016), one lot of grit-tempered sherds with dentate impressions (47WN0132_PETERS.0001.PC.0017), one lot of shell-tempered sherds with trailed, punctate, and stamped decoration (47WN0132_PETERS.0001.PC.0018), one lot of shell-tempered, smoothed sherds (47WN0132_PETERS.0001.PC.0019 through 47WN0132_PETERS.0001.PC.0020), and one grit-tempered, cord-wrapped paddled sherd (47WN0132_PETERS.0001.PC.0021).

In 1993, human remains representing, at minimum, one individual were removed from the McCauley Site (47–WN–0222) in Winnebago County, WI. The human remains were encountered during an archeological field school run by Carol Mason, who investigated the McCauley Site as part of her Fur Trade Era Site Survey. She conducted shovel tests across two properties that fall inside the Site's boundaries. Human remains were later discovered at the University of Wisconsin Oshkosh in excavation bags labeled ''Lot 14 (Shovel Test 5)'' and ''Lot 18 (Shovel Test 16).'' Although the human remains come from separate shovel tests, they are determined to belong to one individual. The human remains belong to an individual 8.5 years old (47WN0222_UWO26.0015.HR.0001a; 47WN0222_UWO26.0019.HR.0002a). According to the Wisconsin Historic Preservation Database and studies dating from the 1930s to 2017, the site dates from the Post-Contact period back to the Oneota, Woodland, and Archaic periods. Lot 14 (Shovel Test 5) was located very near Kannenberg's 1930–1932 northern excavations and just south of a 2017 shovel test, which yielded shell-tempered and grit-tempered pottery identified as, variously, Middle Woodland Kegonsa Stamped or Shorewood Cord Roughened ware, unknown Oneota type ware, Late Woodland Madison Cord Impressed ware, and others (Picard et al. 2018: 78–82). No known individual was identified. The 23 associated funerary objects are one lot of faunal remains including mammal, fish, bird, and unidentifiable animal bones and mollusk shells (47WN0222_UWO26.0015.FA.0001 through 47WN0222_UWO26.0015.FA.0010), one lot of charcoal (47WN0222_UWO26.0015.FL.0001), one piece of flat glass (47WN0222_UWO26.0015.GL.0001), nine pieces of debitage (47WN0222_UWO26.0015.LI.0001), three pieces of trailed, shell-tempered pottery (47WN0222_UWO26.0015.PC.0001), two pieces of cord-wrapped paddled grit-tempered pottery (47WN0222_UWO26.0015.PC.0002), one sherd of refined earthenware (47WN0222_UWO26.0019.CC.0001), one piece of unidentifiable burnt bone (47WN0222_UWO26.0019.FA.0001), one piece of debitage (47WN0222_UWO26.0019.LI.0001), one square-cut nail (47WN0222_UWO26.0019.ME.0001), one rim sherd

of shell-tempered pottery (47WN0222_UWO26.0019.PC.0001), and one body sherd of cord-marked, grit-tempered pottery (47WN0222_UWO26.0019.PC.0002).

In 1985, human remains representing, at minimum, one individual, were removed from the Fox Tower Site (47–WN–0258) in Winnebago County, WI, by Richard and Carol Mason, who called this Site the ''Cole Site'' after the name of the landowner. In 2018, the Masons donated their collection to the University of Wisconsin Oshkosh. Human remains (47WN0258_MASON1.0001.HR.0001a through 47WN0258_MASON1.0001.HR.0005a) were found in the box with the collection, but no other information was recorded by the Masons. The human remains belong to an individual of unknown age and sex. No known individual was identified. The 18 associated funerary objects are one terracotta pottery sherd (47WN0258_MASON1.0001.CC.0001), one turtle shell fragment (47WN0258_MASON1.0001.FA.0002), one large mammal metapodial (47WN0258_MASON1.0001.FA.0003), one proximal shaft of a bird humerus and one proximal shaft of bird phalanx (47WN0258_MASON1.0001.FA.0004; 47WN0258_MASON1.0001.FA.0008), three unidentifiable bone fragments, (one of them with some signs of burning (47WN0258_MASON1.0001.FA.0005; 47WN0258_MASON1.0001.FA.0006)), one lot of Naiad shells (47WN0258_MASON1.0001.FA.0007), one chert corner-notched expanding stemmed projectile point (47WN0258_MASON1.0001.LI.0001), one chert Adena projectile point (47WN0258_MASON1.0001.LI.0002), one chipped stone flake tool (47WN0258_MASON1.0001.LI.0003), one projectile point fragment, missing base (47WN0258_MASON1.0001.LI.0004), one chert scraper (47WN0258_MASON1.0001.LI.0005), one chipped stone biface (47WN0258_MASON1.0001.LI.0006), one lot of lithic debitage (47WN0258_MASON1.0001.LI.0007), one rock (47WN0258_MASON1.0001.LI.0008), one lot of grit-tempered ceramic body sherd with cord-marked exterior and small grit-tempered ceramic fragments (47WN0258_MASON1.0001.PC.0001 through 47WN0258_MASON1.0001.PC.0002), and one shell-tempered pottery fragment (47WN0258_MASON1.0001.PC.0003).

Determinations Made by the University of Wisconsin Oshkosh

Officials of the University of Wisconsin Oshkosh have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on archeological information.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of four individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the 64 objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), a relationship of shared group identity cannot be reasonably traced between the Native American human remains and associated funerary objects and any present-day Indian Tribe.
- According to final judgments of the Indian Claims Commission or the Court of Federal Claims, the land from which the Native American human remains and associated funerary objects were removed is the aboriginal land of the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Otoe-Missouria Tribe of Indians, Oklahoma; and the Winnebago Tribe of Nebraska.
- Treaties, Acts of Congress, or Executive Orders, indicate that the land from which the Native American human remains and associated funerary objects were removed is the aboriginal land of the Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Menominee Indian Tribe of Wisconsin; Otoe-Missouria Tribe of Indians, Oklahoma; Stockbridge Munsee Community, Wisconsin; and the Winnebago Tribe of Nebraska.
- According to other authoritative government sources, the land from which the Native American human remains and associated funerary objects were removed is the aboriginal land of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; Bay Mills Indian Community, Michigan; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana (*previously* listed as Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana); Citizen Potawatomi Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Flandreau Santee Sioux Tribe of South Dakota; Forest County Potawatomi Community, Wisconsin; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Hannahville Indian Community, Michigan; Keweenaw Bay Indian Community, Michigan; Kickapoo Traditional Tribe of Texas; Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas; Kickapoo Tribe of Oklahoma; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Little Shell Tribe of Chippewa Indians of Montana; Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota; Lower Sioux Indian Community in the State of Minnesota; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Menominee Indian Tribe of Wisconsin; Miami Tribe of Oklahoma; Minnesota Chippewa Tribe, Minnesota (Six component reservations: Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band); Nottawaseppi Huron Band of the Potawatomi, Michigan (*previously* listed as Huron Potawatomi, Inc.); Oglala Sioux Tribe (*previously* listed as Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Pokagon Band of Potawatomi Indians, Michigan and Indiana; Prairie Band Potawatomi Nation (*previously* listed as Prairie Band of Potawatomi Nation, Kansas); Prairie Island Indian Community in the State of Minnesota; Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Red Lake Band of Chippewa Indians, Minnesota; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Saginaw Chippewa Indian Tribe of Michigan; Santee Sioux Nation, Nebraska; Sault Ste. Marie Tribe of Chippewa Indians, Michigan; Shakopee Mdewakanton Sioux Community of Minnesota; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Sokaogon Chippewa Community, Wisconsin; Spirit Lake Tribe, North Dakota; St. Croix Chippewa Indians of Wisconsin; Standing Rock Sioux Tribe of North & South Dakota; Turtle Mountain Band of Chippewa Indians of North Dakota; Upper Sioux

Community, Minnesota; and the Yankton Sioux Tribe of South Dakota.

• Pursuant to 43 CFR 10.11(c)(1), the disposition of the human remains and associated funerary objects may be to the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana; Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin; Bay Mills Indian Community, Michigan; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Chippewa Cree Indians of the Rocky Boy's Reservation, Montana (*previously* listed as Chippewa-Cree Indians of the Rocky Boy's Reservation, Montana); Citizen Potawatomi Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Flandreau Santee Sioux Tribe of South Dakota; Forest County Potawatomi Community, Wisconsin; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Hannahville Indian Community, Michigan; Ho-Chunk Nation of Wisconsin; Iowa Tribe of Kansas and Nebraska; Iowa Tribe of Oklahoma; Keweenaw Bay Indian Community, Michigan; Kickapoo Traditional Tribe of Texas; Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas; Kickapoo Tribe of Oklahoma; Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin; Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin; Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan; Little Shell Tribe of Chippewa Indians of Montana; Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota; Lower Sioux Indian Community in the State of Minnesota; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Menominee Indian Tribe of Wisconsin; Miami Tribe of Oklahoma; Minnesota Chippewa Tribe, Minnesota (Six component reservations: Bois Forte Band (Nett Lake); Fond du Lac Band; Grand Portage Band; Leech Lake Band; Mille Lacs Band; White Earth Band); Nottawaseppi Huron Band of the Potawatomi, Michigan (*previously* listed as Huron Potawatomi, Inc.); Oglala Sioux Tribe (*previously* listed as Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota); Otoe-Missouria Tribe of Indians, Oklahoma; Pokagon Band of Potawatomi Indians, Michigan and Indiana; Prairie Band Potawatomi Nation (*previously* listed as Prairie Band of Potawatomi Nation, Kansas); Prairie Island Indian Community in the State of Minnesota; Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin; Red Lake Band of Chippewa Indians, Minnesota; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation, Oklahoma; Sac & Fox Tribe of the Mississippi in Iowa; Saginaw Chippewa Indian Tribe of Michigan; Santee Sioux Nation, Nebraska; Sault Ste. Marie Tribe of Chippewa Indians, Michigan; Shakopee Mdewakanton Sioux Community of Minnesota; Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; Sokaogon Chippewa Community, Wisconsin; Spirit Lake Tribe, North Dakota; St. Croix Chippewa Indians of Wisconsin; Standing Rock Sioux Tribe of North & South Dakota; Stockbridge Munsee Community, Wisconsin; Turtle Mountain Band of Chippewa Indians of North Dakota; Upper Sioux Community, Minnesota; Winnebago Tribe of Nebraska; and the Yankton Sioux Tribe of South Dakota (hereafter referred to as ''The Tribes'').

Additional Requestors and Disposition

Representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Adrienne Frie, University of Wisconsin Oshkosh, 800 Algoma Blvd., Oshkosh, WI 54901, telephone (920) 424–1365, email *friea@uwosh.edu,* by July 6, 2022. After that date, if no additional requestors have come forward, transfer of control of the human remains and associated funerary objects to The Tribes may proceed.

The University of Wisconsin Oshkosh is responsible for notifying The Consulted and Notified Tribes and Groups that this notice has been published.

Dated: May 25, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022–12112 Filed 6–3–22; 8:45 am]

BILLING CODE 4312–52–P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS–WASO–NAGPRA–NPS0033983; PPWOCRADN0–PCU00RP14.R50000]

Notice of Inventory Completion: Tennessee Valley Authority, Knoxville, TN

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: The Tennessee Valley Authority (TVA) has completed an inventory of human remains and associated funerary objects, in consultation with the appropriate Indian Tribes and Native Hawaiian organizations and has determined that there is a cultural affiliation between the human remains and associated funerary objects and present-day Indian Tribes or Native Hawaiian organizations. Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request to the TVA. If no additional requestors come forward, transfer of control of the human remains and associated funerary objects to the Indian Tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to the TVA at the address in this notice by July 6, 2022.

FOR FURTHER INFORMATION CONTACT: Ms. Marianne Shuler, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902–1401, telephone (865) 253–1265, email *mmshuler@tva.gov.*

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects under the control of the Tennessee Valley Authority, Knoxville, TN. The human remains and associated funerary objects were removed from site 1LU496, Dust Cave, in Lauderdale County, AL.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by TVA professional

staff in consultation with representatives of the Cherokee Nation; Eastern Band of Cherokee Indians; The Chickasaw Nation; The Choctaw Nation of Oklahoma; The Muscogee (Creek) Nation; The Seminole Nation of Oklahoma; and the Thlopthlocco Tribal Town (hereafter referred to as ''The Consulted Tribes'').

History and Description of the Remains

Dust Cave (site 1LU496) is located on a bluff adjacent to the right descending bank of the Tennessee River within TVA's Pickwick Reservoir, in Lauderdale County, Alabama. The cave was recorded in the 1980s by Richard Cobb following exploration by local speleologists. A subsequent evaluation of caves adjacent to Pickwick Reservoir verified that Dust Cave had a human habitation of considerable antiquity. From 1989 to 2002, Dust Cave was the focus of excavations by the University of Alabama. The cultural items listed in this notice were excavated prior to November 16, 1990.

Between 1989 and November of 1990, human remains representing, at minimum, 29 individuals were removed from Dust Cave, site 1LU496, in Lauderdale County, AL, during excavations conducted by the University of Alabama. The principal investigator, Boyce Driskel, in a report to the National Science Foundation, wrote that the site contains five discrete prehistoric components, including ''a Late Paleoindian component with estimated age of 10,500 B.P. to 10,000 B.P.; an Early Side Notched component with an estimated age of 10,000 B.P. to 9,000 B.P; a Kirk Stemmed component with an estimated age of 8,500 B.P. to 7,000 B.P.; an Eva/Morrow Mountain component with estimated age of 7,000 B.P. to 6,000 B.P.; and a Seven Mile Island phase component with estimated age of 6,000 B.P. to 5,200 B.P.'' The human remains belong to 17 adults of unknown sex and 12 subadults of unknown. No individuals were identified. The three associated funerary objects are one lot of shell beads, one lot of ground stone, and one lot of sediment samples.

Based on archeological, geographical, and oral traditional information, the TVA has determined that the earlier group to which these human remains belonged are ancestral to the Cherokee Nation, Eastern Band of Cherokee Indians, and The Chickasaw Nation.

Determinations Made by the Tennessee Valley Authority

Officials of the Tennessee Valley Authority have determined that:

- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice are Native American based on their presence in a prehistoric archeological site and osteological analysis.
- Pursuant to 25 U.S.C. 3001(9), the human remains described in this notice represent the physical remains of 29 individuals of Native American ancestry.
- Pursuant to 25 U.S.C. 3001(3)(A), the three objects described in this notice are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony.
- Pursuant to 25 U.S.C. 3001(2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Cherokee Nation; Eastern Band of Cherokee Indians; and The Chickasaw Nation (hereafter referred to as ''The Tribes'').

Additional Requestors and Disposition

Lineal descendants or representatives of any Indian Tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains and associated funerary objects should submit a written request with information in support of the request to Ms. Marianne Shuler, Tennessee Valley Authority, 400 West Summit Hill Drive, WT11C, Knoxville, TN 37902–1401, telephone (865) 253–1265, email *mmshuler@tva.gov,* by July 6, 2022. After that date, if no additional requestors have come forward, transfer of control of the human remains, associated funerary objects and sacred objects to The Tribes may proceed.

The Tennessee Valley Authority is responsible for notifying The Consulted Tribes that this notice has been published.

Dated: May 25, 2022.

Melanie O'Brien,

Manager, National NAGPRA Program.

[FR Doc. 2022–12109 Filed 6–3–22; 8:45 am]

BILLING CODE 4312–52–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1068]

Certain Microfluidic Devices; Notice of a Commission Determination Not To Review an Initial Determination Granting 10X Genomics, Inc.'s Motion for Return of Its Bond

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (''Commission'') has determined not to review an initial determination (''ID'') (Order No. 37) of the presiding administrative law judge (''ALJ''), granting 10X Genomics, Inc.'s motion for return of its bond.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3427. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: On September 6, 2017, the Commission instituted this investigation based on a complaint filed by Bio-Rad Laboratories, Inc. of Hercules, CA; and Lawrence Livermore National Security, LLC of Livermore, CA (collectively, ''Bio-Rad''). 82 FR 42115 (Sept. 6, 2017). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain microfluidic devices by reason of infringement certain claims of U.S. Patent Nos. 9,500,664 (''the '664 patent''); 9,089,844 (''the '844 patent''); 9,636,682 (''the '682 patent''); 9,649,635 (''the '635 patent''); and 9,126,160 (''the '160 patent''). *Id.* The Commission's Notice of Investigation named as the sole respondent 10X Genomics, Inc. of Pleasanton, CA (''10X''). *Id.* The Office of Unfair Import Investigations (''OUII'') was also named as a party to this investigation. *Id.*

The Commission subsequently terminated the investigation as to the '844 patent. Order No. 19 (Mar. 6, 2018), *unreviewed by* Notice (Apr. 16, 2018).

On September 20, 2018, the presiding ALJ issued the final ID. The final ID found a violation of section 337 by virtue of 10X's infringement of the '664, '682, and '635 patents. The ID found that 10X had not established a violation with respect to the '160 patent. On December 4, 2018, the Commission

determined to review various findings in the ID. 83 FR 63672 (Dec. 11, 2018).

On December 18, 2019, the Commission found a violation of section 337 with respect to the '664, '682, and '635 patents. 84 FR 70999 (Dec. 26, 2019). The Commission also found no violation of section 337 with respect to the '160 patent. *Id.* The Commission determined to issue a limited exclusion order prohibiting further importation of 10X's infringing microfluidic devices and a cease and desist order (''CDO'') against 10X. *Id.*

On May 28, 2021, in an appeal initiated by Bio-Rad, the U.S. Court of Appeals for the Federal Circuit issued a decision affirming the Commission's final determination. *Bio-Rad Labs., Inc.* v. *Int'l Trade Comm'n,* 998 F.3d 1320 (Fed. Cir. 2021).

On July 26, 2021, Bio-Rad and 10X entered into a settlement agreement that resolved the disputes concerning the subject matter of this investigation.

On July 28, 2021, Bio-Rad and 10X jointly petitioned for rescission of the Commission's remedial orders under section 337(k) (19 U.S.C. 1337(k)) and Commission Rule 210.76(a) (19 CFR 210.76(a)). On August 25, 2021, the Commission granted the parties' petition and rescinded the remedial orders.

On July 27, 2021, 10X filed a motion for return of the bond it posted pursuant to the CDO entered in this investigation. On August 6, 2021, OUII filed a response supporting the motion.

On April 13, 2022, the ALJ issued Order No. 37, the subject ID, which granted the motion. The ALJ found that 10X satisfied the procedural requirements for the return of bond, that the settlement agreement between Bio-Rad and 10X resolved the dispute between them regarding activities during the period of Presidential review that were subject to the Commission's remedial orders, and that the Commission has previously released the respondent's bond under similar circumstances.

No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID.

The Commission vote for this determination took place on May 31, 2022.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission's Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: May 31, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–12024 Filed 6–3–22; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–1082–1083 (Third Review)]

Chlorinated Isocyanurates From China and Spain; Scheduling of Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of full reviews pursuant to the Tariff Act of 1930 (''the Act'') to determine whether revocation of the antidumping duty orders on chlorinated isocyanurates from China and Spain would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission has determined to exercise its authority to extend the review period by up to 90 days.

DATES: May 31, 2022.

FOR FURTHER INFORMATION CONTACT: Keysha Martinez (202–205–2136), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (*https://www.usitc.gov*). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.*

SUPPLEMENTARY INFORMATION:

Background.—On January 4, 2022, the Commission determined that responses to its notice of institution of the subject five-year reviews were such that full reviews should proceed (87 FR 4290, January 27, 2022); accordingly, full reviews are being scheduled pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(5)). A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements are available from the Office of the Secretary and at the Commission's website.

Participation in the reviews and public service list.—Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in these reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission's rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission's notice of institution of the reviews need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A and B (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.—Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made by 45 days after publication of this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the reviews. A party granted access to BPI following publication of the Commission's notice of institution of the reviews need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the reviews will be placed in the nonpublic record on September 12, 2022, and a public version will be issued thereafter, pursuant to section 207.64 of the Commission's rules.

Hearing.— The Commission will hold a hearing in connection with the

reviews beginning at 9:30 a.m. on September 29, 2022. Information about the place and form of the hearing, including about how to participate in and/or view the hearing, will be posted on the Commission's website at *https://www.usitc.gov/calendarpad/calendar.html.* Interested parties should check the Commission's website periodically for updates. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before September 22, 2022. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on September 23, 2022. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party to the reviews may submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.65 of the Commission's rules; the deadline for filing is September 20, 2022. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.67 of the Commission's rules. The deadline for filing posthearing briefs is October 7, 2022. In addition, any person who has not entered an appearance as a party to the reviews may submit a written statement of information pertinent to the subject of the reviews on or before October 7, 2022. On November 1, 2022, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before November 3, 2022, but such final comments must not contain new factual information and must otherwise comply with section 207.68 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's *Handbook on Filing Procedures,* available on the Commission's website at *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf,* elaborates upon the Commission's procedures with respect to filings.

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

The Commission has determined that these reviews are extraordinarily complicated and therefore has determined to exercise its authority to extend the review period by up to 90 days pursuant to 19 U.S.C.1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: May 31, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–12023 Filed 6–3–22; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1316]

Certain Pneumatic Compression Devices and Components Thereof; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 29, 2022, under section 337 of the Tariff Act of 1930, as amended, on behalf of Precision Holdings USA Inc. of Rocklin, California and Innovamed Health LLC of San Antonio, Texas. Supplements were filed on May 9, 2022, and May 11, 2022. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain pneumatic compression devices and components thereof by reason of infringement of certain claims of U.S. Patent No. 10,058,475 (''the '475 patent'') and U.S. Patent No. 10,912,704 (''the '704 patent''). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission's electronic docket (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.* Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at *https://www.usitc.gov.*

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2022).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on May 31, 2022, *ordered that*—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 16–18 of the '475 patent and claims 1, 3, 4, 11–15, and 18–20 of the '704 patent, and whether an industry in the

United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is ''portable deep vein thrombosis compression products'';

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant are:

Precision Holdings USA Inc., 2217 Plaza Dr., Rocklin, CA 95765

Innovamed Health LLC, 10 Westelm Garden, San Antonio, TX 78230

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

ManaMed Inc., 5240 W. Charleston Blvd., Las Vegas, NV 89146

Grandway Healthcare Limited, Rm 1705, Kinox Centre No. 9 Hung To Rd., Kwun Tong, Kowloon, Hong Kong, S.A.R., China

Vive Health LLC d/b/a Coretech, 8955 Fontana Del Sol Way, Naples, FL 34109

Medline Industries Inc., 3 Lakes Drive, Northfield, IL 60093–2753

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainants of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: May 31, 2022.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2022–12031 Filed 6–3–22; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0335]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Reinstatement without change of a previously approved collection.

2. *The Title of the Form/Collection:* National Motor Vehicle Title Information System (NMVTIS).

3. *The agency form number:* There is no form number associated with this information collection. Bureau of Justice Assistance, Office of Justice Programs, United States Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Auto recyclers, junk yards and salvage yards are required to report information into NMVTIS. The Anti-Car Theft Act, defines junk and salvage yards ''as individuals or entities engaged in the business of acquiring or owning junk or salvage automobiles for resale in their entirety or as spare parts or for rebuilding, restoration, or crushing.'' Included in this definition are scrap-vehicle shredders and scrap-metal processors, as well as ''pull- or pick-apart yards,'' salvage pools, salvage auctions, and other types of auctions, businesses, and individuals that handle salvage vehicles (including vehicles declared a ''total loss'').

Abstract: Reporting information on junk and salvage vehicles to the National Motor Vehicle Title Information System (NMVTIS)—supported by the U.S. Department of Justice (DOJ)—is required by federal law. Under federal law, junk and salvage yards must report certain information to NMVTIS on a monthly basis. This legal requirement has been in place since March 2009, following the promulgation of regulations (28 CFR part 25) to implement the junk- and salvage-yard reporting provisions of the Anti-Car Theft Act (codified at 49 U.S.C. 30501–30505). Accordingly, a junk or salvage yard within the United States must, on a monthly basis, provide an inventory to NMVTIS of the junk or salvage automobiles that it obtained (in

whole or in part) in the prior month. 28 CFR 25.56(a).

An NMVTIS Reporting Entity includes any individual or entity that meets the federal definition, found in the NMVTIS regulations at 28 CFR 25.52, for a ''junk yard'' or ''salvage yard.'' According to those regulations, a junk yard is defined as ''an individual or entity engaged in the business of acquiring or owning junk automobiles for—(1) Resale in their entirety or as spare parts; or (2) Rebuilding, restoration, or crushing.'' The regulations define a salvage yard as ''an individual or entity engaged in the business of acquiring or owning salvage automobiles for—(1) Resale in their entirety or as spare parts; or (2) Rebuilding, restoration, or crushing.'' These definitions include vehicle remarketers and vehicle recyclers, including scrap vehicle shredders and scrap metal processors as well as ''pull-or pick-apart yards,'' salvage pools, salvage auctions, used automobile dealers, and other types of auctions handling salvage or junk vehicles (including vehicles declared by any insurance company to be a ''total loss'' regardless of any damage assessment). Businesses that operate on behalf of these entities or individual domestic or international salvage vehicle buyers, sometimes known as ''brokers'' may also meet these regulatory definitions of salvage and junk yards. It is important to note that industries not specifically listed in the junk yard or salvage yard definition may still meet one of the definitions and, therefore, be subject to the NMVTIS reporting requirements.

An individual or entity meeting the junk yard or salvage yard definition is subject to the NMVTIS reporting requirements if that individual or entity handles 5 or more junk or salvage motor vehicles per year and is engaged in the business of acquiring or owning a junk automobile or a salvage automobile for—''(1) Resale in their entirety or as spare parts; or (2) Rebuilding, restoration, or crushing.'' Reporting entities can determine whether a vehicle is junk or salvage by referring to the definitions provided in the NMVTIS regulations at 28 CFR 25.52. An NMVTIS Reporting Entity is required to report specific information to NMVTIS within one month of receiving such a vehicle, and failure to report may result in assessment of a civil penalty of $1,000 per violation.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There are 50,383 in JSI (meaning entities issued a reporting ID number), of which 21,612 have submitted at least one report. The estimate for the average amount of time for each business to report varies: 30–60 minutes (estimated). The states and insurance companies already are capturing most of the data needed to be reported, and the reporting consists of electronic, batch uploaded information. So, for those automated companies the reporting time is negligible. For smaller junk and salvage yard operators who would enter the data manually, it is estimated that it will take respondents an average of 30–60 minutes per month to respond.

6. *An estimate of the total public burden (in hours) associated with the collection:* An estimate of the total public burden (in hours) associated with the collection is approximately 129,000 to 259,000 hours.

Total Annual Reporting Burden:

21,612 × 30 minutes per month (12 times per year) = 648,360

21,612 × 60 minutes per month (12 times per year) = 1,296,720

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: May 31, 2022.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2022–12027 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0352]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement Without Change, of a Previously Approved Collection

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Reinstatement without change, of a previously approved collection.

2. *The Title of the Form/Collection:* National Standards to Prevent, Detect, and Respond to Prison Rape (28 CFR part 115).

3. *The agency form number:* There is no form number associated with this information collection. The applicable component within the Department of Justice is the Bureau of Justice Assistance, in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* On June 20, 2012, the Department of Justice published a Final Rule to adopt national standards to prevent, detect, and respond to sexual abuse in confinement settings pursuant to the Prison Rape Elimination Act of 2003 (PREA), 34 U.S.C. 30305. These national standards, which went into effect on August 20, 2012, require covered facilities to retain certain

specified information relating to sexual abuse prevention planning, responsive planning, education and training, investigations and to collect and retain certain specified information relating to allegations of sexual abuse within the facility. Covered facilities include: Federal, state, and local jails, prisons, lockups, community correction facilities, and juvenile facilities, whether administered by such government or by a private organization on behalf of such government. As the agency responsible for PREA implementation on behalf of the U.S. Department of Justice, the Bureau of Justice Assistance within the Office of Justice Programs is submitting this request to extend a currently approved collection.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The recordkeeping and reporting requirements established by the PREA standards are based on incidents of sexual abuse. An estimated 13,119 covered facilities nationwide are required to comply with the PREA standards. If all covered facilities were to fully comply with all of the PREA standards, the new burden hours associated with the staff time that would be required to collect and maintain the information and records required by the standards would be approximately 1.16 million in the first year of full compliance, or about 89 hours per facility.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden hours associated with this collection is 1.16 million in the first year of full compliance, or about 89 hours per facility.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: May 31, 2022.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2022–12026 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

[OMB Number 1105–0092]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change of a Previously Approved Collection; September 11th Victim Compensation Fund ("VCF") Claim Form

AGENCY: September 11th Victim Compensation Fund, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice (DOJ), Civil Division, September 11th Victim Compensation Fund, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until August 5, 2022.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Stefanie Langsam, Deputy Special Master, September 11th Victim Compensation Fund, 1100 L Street NW, Washington, DC 20531 (phone: 1–855–885–1555).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Fund, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* VCF Claim Form.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* N/A. Civil Division.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The September 11th Victim Compensation Fund of 2001 (''VCF'' or ''Fund'') provides compensation to any individual (or beneficiary of a deceased individual) who was physically injured or killed as a result of the terrorist-related aircraft crashes of September 11, 2001. The information collected from the VCF Claim Form will be used to determine whether claimants will be eligible for compensation from the Fund, and if so, the amount of compensation they will be awarded. The Form consists primarily of two main sections: Eligibility and Compensation.

The Eligibility section seeks the information required by the Zadroga Act to determine whether a claimant is eligible for the Fund, including information related to: participation in lawsuits related to September 11, 2001; presence at a 9/11 crash site between September 11, 2001 and May 30, 2002; and physical harm suffered as a result of the air crashes and/or debris removal.

The Compensation section seeks the information required by the Zadroga Act to determine the amount of compensation for which the claimant is eligible. Specifically, the section seeks information regarding the out-of-pocket losses (including medical expenses) incurred by the claimant that are attributable to the 9/11 air crashes or debris removal; the claimant's loss of earnings or replacement services that are attributable to the 9/11 air crashes or debris removal; and any collateral source payments (such as insurance payments) that the claimant received as a result of the terrorist-related aircraft crashes of September 11, 2001 or debris removal efforts.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 24,000 respondents will complete the form (total estimate for the time period October 2022 through October 2025) in an average of 10 hours.

6. *An estimate of the total public burden (in hours) associated with the collection:* The estimated public burden associated with this collection is 240,000 hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: June 1, 2022.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2022–12035 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–12–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0369]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Extension Without Change, of a Previously Approved Collection

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 60-Day notice.

SUMMARY: The Department of Justice, Office of Justice Programs, Office of Communications is submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until August 5, 2022.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Sharon Williams, NCJRS COR/Senior Program Specialist, Office of Communications, 810 Seventh Street NW, Washington, DC 20531 (email: *sharon.j.williams@usdoj.gov;* telephone: 202–353–8726). Written comments and/or suggestions can also be sent to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503 or sent to *OIRA_submissions@omb.eop.gov.*

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* Extension of a currently approved collection.

2. *The Title of the Form/Collection:* National Criminal Justice Reference Service (NCJRS) online subscription center: *https://www.ncjrs.gov/App/Secure/Registration/Register.aspx/.*

3. *The agency form number:* There is no form number associated with this information collection. The applicable component within the Department of Justice is the Bureau of Justice Assistance, in the Office of Justice Programs.

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* Currently, constituents can sign-up for communications, such as new publications, funding opportunities, events, and other news and announcements from NCJRS and the NCJRS federal sponsors, place online orders, and track their order status by creating a detailed profile on *NCJRS.gov.* Users can also subscribe to specific Bureau, Program Office, and shared email notification lists and newsletters when creating an NCJRS account. This action can also be accomplished on various Bureau, Program Office, or GovDelivery web pages.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* On a monthly basis, an estimated 75 constituents use the NCJRS online subscription center to subscribe. An average of 2–4 minutes per respondent is needed to complete 1121–0369.

6. *An estimate of the total public burden (in hours) associated with the collection:* It is estimated that respondents will take 2–4 minutes to complete their profile. The estimated public burden hours associated for users to subscribe is 5 hours per month (75 respondents × 4 minutes = 300 minutes/60 minutes = 5 hours) or 60 hours per year (5 hours × 12 months = 60 hours).

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: May 31, 2022.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2022–12028 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Supplemental Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On May 31, 2022, the Department of Justice lodged a proposed Supplemental Consent Decree with the United States District Court for the District of Massachusetts in *United States and Commonwealth of Massachusetts* v. *AVX Corp. et al.,* Civil Action Nos. 83–3882–Y and 83–3889–Y (D. Mass.).

On February 27, 1984, the United States filed a complaint against Cornell Dubilier Electronics, Inc. (''CDE''), among other defendants, in accordance with Sections 106 and 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''CERCLA''), as amended, seeking injunctive relief, natural resource damages, and reimbursement of response costs incurred or to be incurred for hazardous substances at the New Bedford Harbor Superfund Site, in Bristol County, Massachusetts (the ''Site''). On February 28, 1984, the Commonwealth of Massachusetts also filed a complaint against CDE, among others parties, under Section 107 of CERCLA, seeking abatement, natural resource damages, and reimbursement of response actions taken or to be taken at or in connection with the release or

threatened release of hazardous substances at the Site. The United States and Massachusetts entered into a consent decree with CDE in 1992. The 1992 consent decree resolved CDE's liability subject to the governments' ability to further pursue claims under a reservation of rights set forth in paragraph 17 of the 1992 consent decree, authorizing the governments to seek additional relief based on unknown conditions or new information (''reopener''). The proposed Supplemental Consent Decree supplements the 1992 consent decree by requiring CDE to make a cash payment to resolve CDE's liability for response costs and injunctive relief under Sections 106 and 107 of CERCLA and certain claims arising under state law, arising from the reopener set forth in Paragraph 17 of the 1992 consent decree.

Under the terms of the Supplemental Consent Decree, CDE will pay $4 million, plus applicable interest, toward the cleanup of the New Bedford Harbor Site (in addition to the approximately $21 million CDE already paid under the 1992 consent decree). CDE's $4 million payment amount was based upon a determination that CDE had limited financial ability to pay for response costs incurred and to be incurred at the Site. CDE's $4 million payment will be split between the United States and the Commonwealth. Specifically, CDE will pay the United States $3.6 million, and CDE will pay the Commonwealth $400,000. The governments have agreed to resolve their claims for all response costs and injunctive relief without new ''reopeners'' under Sections 106 and 107 of the CERCLA. The governments retain their rights to additional relief for natural resource damages pursuant to a reservation of rights in the 1992 consent decree.

Relatedly, on May 31, 2022, the United States and State of New Jersey lodged a $4 million ability-to-pay consent decree in the United States District Court for the District of New Jersey in *United States et al.* v. *Cornell Dubilier Electronics, Inc.,* Civil Action No. 2:22–cv–03245 (D.N.J.), relating to the Woodbrook Road Dump Superfund Site in South Plainfield, New Jersey. This consent decree, along with the Supplemental Consent Decree, resolve CDE's liability for response costs in connection with both the Woodbrook Road Site and New Bedford Harbor Site, respectively.

The publication of this notice opens a period for public comment on the Supplemental Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and Commonwealth of Massachusetts* v. *AVX Corp. et al.,* Civil Action Nos. 83–3882–Y and 83–3889–Y (D. Mass.), D.J. Ref. No. 90–11–2–32/5. All comments must be submitted no later than sixty (60) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed Supplemental Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the proposed modification upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $18.75 (25 cents per page reproduction cost) payable to the United States Treasury.

Henry S. Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2022–12064 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Proposed Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act

On May 31, 2022, the Department of Justice lodged a proposed Consent Decree with the United States District Court for the District of New Jersey in *United States* v. *Cornell Dubilier Electronics, Inc.,* Civil Action No. 2:22–cv–03245. The proposed Consent Decree resolves the United States' and State of New Jersey's cost recovery and natural resource damages claims against Cornell Dubilier Electronics, Inc. (''CDE'') under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (''CERCLA''), 42 U.S.C. 9601 *et seq.,* relating to the Woodbrook Road Dump Superfund Site (''Site''), located in South Plainfield, New Jersey.

In the proposed Consent Decree, CDE, an ability-to-pay party, agrees to pay $4 million, plus applicable interest. CDE's $4 million payment will be split between the United States and New Jersey. Specifically, New Jersey will receive $373,500 to resolve its cost recovery claims, the United States Department of Interior and the State will receive $265,000 for natural resource damages, and the United States Environmental Protection Agency will receive $3,361,500 for the Site's cleanup. The Consent Decree includes covenants not sue under Sections 106 and 107 of CERCLA.

Relatedly, on May 31, 2022, the United States and Commonwealth of Massachusetts lodged a $4 million ability-to-pay supplemental consent decree in *United States and Commonwealth of Massachusetts* v. *AVX Corp. et al.,* Civil Action Nos. 83–3882–Y and 83–3889 (D. Mass.), relating to the New Bedford Harbor Superfund Site in Bristol County, Massachusetts. This settlement, along with the proposed Consent Decree, resolve CDE's liability for response costs in connection with both the New Bedford Harbor Site and Woodbrook Road Site, respectively.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States* v. *Cornell Dubilier Electronics, Inc.,* Civil Action No. 2:22–cv–03245, D.J. Ref. No. 90–11–3–11024. All comments must be submitted no later than sixty (60) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	*Send them to:*
By email	*pubcomment-ees.enrd@usdoj.gov.*
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the proposed Consent Decree may be examined and downloaded at this Justice Department website: *https://www.justice.gov/enrd/consent-decrees.* We will provide a paper copy of the proposed modification upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library,

U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $8.50 (25 cents per page reproduction cost) payable to the United States Treasury.

Henry S. Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 2022–12066 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–15–P

DEPARTMENT OF JUSTICE

[OMB Number 1121–0259]

Agency Information Collection Activities; Proposed eCollection eComments Requested; Reinstatement Without Change of a Previously Approved Collection

AGENCY: Office of Justice Programs, Department of Justice.

ACTION: 30-Day notice.

SUMMARY: The Department of Justice, Office of Justice Programs, Bureau of Justice Assistance is submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: The Department of Justice encourages public comment and will accept input until July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Assistance, including whether the information will have practical utility;

—Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

—Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and

—Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Overview of This Information Collection

1. *Type of Information Collection:* reinstatement without change of a previously approved collection.

2. *The Title of the Form/Collection:* Public Safety Officer Medal of Valor (Pub. L. 107–12).

3. *The agency form number:* There is no form number associated with this information collection. The nomination process is managed through the internet, using the Office of Justice Programs' (OJP) Public Safety Officer Medal of Valor (MOV) online nomination system at: *https://bja.ojp.gov/program/medalofvalor.*

4. *Affected public who will be asked or required to respond, as well as a brief abstract:* The information that is being collected is solicited from federal, state, local and tribal public safety agencies, who wish to nominate their personnel to receive the Public Safety Officer Medal of Valor (MOV). This information is provided on a voluntary basis, includes agency and nominee information along with details about the events for which the nominees are to be consider when determining who will be recommended to receive the MOV.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The recordkeeping and reporting requirements established by the PREA standards are based on incidents of sexual abuse. An estimated 13,119 covered facilities nationwide are required to comply with the PREA standards. If all covered facilities were to fully comply with all of the PREA standards, the new burden hours associated with the staff time that would be required to collect and maintain the information and records required by the standards would be approximately 1.16 million in the first year of full compliance, or about 89 hours per facility.

6. *An estimate of the total public burden (in hours) associated with the collection:* Base upon the average number of submissions over the referenced two-year period, and the estimated time required to complete each submission, the estimated annual public burden would be 56.45 hours.

a. 135.5×25 minutes = 3,387.5 minutes/60 = 56.45 hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.

Dated: May 31, 2022.

Melody Braswell,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2022–12025 Filed 6–3–22; 8:45 am]

BILLING CODE 4410–18–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Commercial Diving Operations Standard

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Occupational Safety & Health Administration (OSHA)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of

automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The information collection requirements specified in the Commercial Diving Operations (CDO) Standard (29 CFR part 1910, subpart T) for general industry helps protect workers from the adverse health effects that may result from their involvement in CDO, and provide access to these records by OSHA, the National Institute for Occupational Safety and Health, the affected workers, and designated representatives. The information collection requirements of the Standard are directed toward assuring the safety and health of divers exposed to hyper baric conditions during and after undersea activities. Also, the required recordkeeping is intended to bring about a safe workplace and assure the safety of divers. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 2, 2022 (87 FR 11733).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless the OMB approves it and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. *See* 5 CFR 1320.5(a) and 1320.6.

DOL seeks PRA authorization for this information collection for three (3) years. OMB authorization for an ICR cannot be for more than three (3) years without renewal. The DOL notes that information collection requirements submitted to the OMB for existing ICRs receive a month-to-month extension while they undergo review.

Agency: DOL–OSHA.

Title of Collection: Commercial Diving Operations Standard.

OMB Control Number: 1218–0069.

Affected Public: Private Sector—Businesses or other for-profits.

Total Estimated Number of Respondents: 1,153.

Total Estimated Number of Responses: 1,397,799.

Total Estimated Annual Time Burden: 170,806 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2022–12037 Filed 6–3–22; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Agency Information Collection Activities; Submission for OMB Review; Comment Request; National Longitudinal Survey of Youth 1979

ACTION: Notice of availability; request for comments.

SUMMARY: The Department of Labor (DOL) is submitting this Bureau of Labor Statistics (BLS)-sponsored information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that the agency receives on or before July 6, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

Comments are invited on: (1) whether the collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (2) if the information will be processed and used in a timely manner; (3) the accuracy of the agency's estimates of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (4) ways to enhance the quality, utility and clarity of the information collection; and (5) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: Nicole Bouchet by telephone at 202–693–0213, or by email at *DOL_PRA_PUBLIC@dol.gov.*

SUPPLEMENTARY INFORMATION: The National Longitudinal Survey of Youth 1979 (NLSY79) is a representative national sample of persons who were born in the years 1957 to 1964 and lived in the U.S. in 1978. These respondents were ages 14 to 22 when the first round of interviews began in 1979; they were ages 57 to 64 as of December 31, 2021. The NLSY79 was conducted annually from 1979 to 1994 and has been conducted biennially since 1994. The longitudinal focus of this survey requires information to be collected from the same individuals over many years in order to trace their education, training, work experience, fertility, income, and program participation.

In addition to the main NLSY79, the biological children of female NLSY79 respondents have been surveyed since 1986. A battery of child cognitive, socio-emotional, and physiological assessments was administered biennially from 1986 until 2012 to NLSY79 mothers and their children. Starting in 1994, children who had reached age 15 by December 31 of the survey year (the Young Adults) were interviewed about their work experiences, training, schooling, health, fertility, self-esteem, and other topics. Funding for the NLSY79 Child and Young Adult surveys has been provided by the Eunice Kennedy Shriver National Institute of Child Health and Human Development through an interagency agreement with the BLS and through a grant awarded to researchers at the Ohio State University Center for Human Resource Research. The collection referenced in this notice does not include a collection of the NLSY79 Child and Young Adult surveys, but additional collections may be contemplated in the future.

One of the goals of the Department of Labor is to produce and disseminate timely, accurate, and relevant information about the U.S. labor force. The BLS contributes to this goal by gathering information about the labor force and labor market and disseminating it to policymakers and the public so that participants in those markets can make more informed, and thus more efficient, choices. Research based on the NLSY79 contributes to the formation of national policy in the areas of education, training, employment programs, school-to-work transitions, and preparations for retirement. In addition to the reports that the BLS produces based on data from the NLSY79, members of the academic community publish articles and reports based on NLSY79 data for the DOL and other funding agencies. To date, more than 2,750 articles examining NLSY79 data have been published in scholarly journals. The survey design provides data gathered from the same respondents over time to form the only data set that contains this type of information for this important

population group. Without the collection of these data, an accurate longitudinal data set could not be provided to researchers and policymakers, thus adversely affecting the DOL's ability to perform its policy- and report-making activities. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 1, 2022 (87 FR 11484).

Agency: DOL–BLS.

Title of Collection: National Longitudinal Survey of Youth 1979.

OMB Control Number: 1220–0109.

Affected Public: Individuals or households.

Total Estimated Number of Respondents: 6,355.

Total Estimated Number of Responses: 6,455.

Total Estimated Annual Time Burden: 7,318 hours.

Total Estimated Annual Other Costs Burden: $0.

(Authority: 44 U.S.C. 3507(a)(1)(D))

Nicole Bouchet,

Senior PRA Analyst.

[FR Doc. 2022–12038 Filed 6–3–22; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petition for Modification of Application of Existing Mandatory Safety Standards

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of a petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the party listed below.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before July 6, 2022.

ADDRESSES: You may submit comments identified by Docket No. MSHA–2022–0029 by any of the following methods:

1. *Federal eRulemaking Portal: https://www.regulations.gov.* Follow the instructions for submitting comments for MSHA–2022–0029.

2. *Fax:* 202–693–9441.

3. *Email: petitioncomments@dol.gov.*

4. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202–5452, *Attention:* S. Aromie Noe, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect copies of the petition and comments during normal business hours at the address listed above. Before visiting MSHA in person, call 202–693–9455 to make an appointment, in keeping with the Department of Labor's COVID–19 policy. Special health precautions may be required.

FOR FURTHER INFORMATION CONTACT: S. Aromie Noe, Office of Standards, Regulations, and Variances at 202–693–9440 (voice), *Petitionsformodification@dol.gov* (email), or 202–693–9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and title 30 of the Code of Federal Regulations (CFR) part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. The application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, sections 44.10 and 44.11 of 30 CFR establish the requirements for filing petitions for modification.

II. Petition for Modification

Docket Number: M–2022–008–C.

Petitioner: Panther Creek Mining LLC, 250 West Main Street, Suite 2000, Lexington, Kentucky 40507.

Mine: Sycamore Surface Mine, MSHA ID No. 43–07058, located in Fayette County, West Virginia.

Regulation Affected: 30 CFR 75.1700, Oil and gas wells.

Modification Request: The petitioner requests a modification of 30 CFR 75.1700 to permit plugging a gas well.

The petitioner states that:

(a) The mine is located at Tom's Branch/Sycamore Creek of the Cabin Creek District.

(b) The Lower Chilton seam will be the last seam mined on the ridge, and the mining is projected to extend west towards the end of the ridge of the mine permit. Well # 70 is in the middle of the ridge and will impede the mining on the ridge if it is not plugged and mined through.

(c) The gas well depth extends approximately 3,800 feet below the Lower Chilton seam.

The petitioner proposes the following alternative method:

(a) Prior to plugging an oil or gas well, the following procedure for cleaning out and preparing oil and gas wells shall be followed:

(1) A diligent effort shall be made to clean the borehole to the original total depth. If this depth cannot be reached, the borehole shall be cleaned out to a depth which would permit the placement of at least 400 feet of expanding cement below the base of the lowest minable coalbed.

(2) When cleaning the borehole, a diligent effort shall be made to remove all the casing in the borehole. If it is not possible to remove all casing, the casing which remains shall be perforated, or ripped, at intervals spaced close enough to permit expanding cement slurry to infiltrate the annulus between the casing and the borehole wall for a distance of at least 200 feet below the base of the lowest minable coalbed.

(3) If the cleaned-out borehole produces gas, a mechanical bridge plug shall be placed in the borehole in a competent stratum at least 200 feet below the base of the lowest minable coalbed, but above the top of the uppermost hydrocarbon producing stratum. If it is not possible to set a mechanical bridge plug, a substantial brush plug may be used in place of the mechanical bridge plug.

(4) A suite of logs shall be made consisting of: a caliper survey directional deviation survey; and log(s) suitable for determining the top and bottom of the lowest minable coalbed and potential hydrocarbon producing strata and the location for the bridge plug.

(5) If the uppermost hydrocarbon-producing stratum is within 200 feet of the base of the lowest minable coalbed, properly placed mechanical bridge plugs or a suitable brush plug described in section (a)(3) shall be used to isolate the hydrocarbon producing stratum from the expanding cement plug. Nevertheless, a minimum of 200 feet of expanding cement shall be placed below the lowest minable coalbed.

(6) The wellbore shall be filled and circulated with a gel that inhibits any flow of gas, supports the walls of the borehole, and densities the expanding cement. This gel shall be pumped through open end tubing run to a point

approximately 20 feet above the bottom of the cleaned-out area of the borehole or bridge plug.

(b) While gas or oil wells to the surface are plugged, the following procedures shall be utilized:

(1) A cement plug shall be set in the wellbore by pumping an expanding cement slurry down the tubing to displace the gel and fill the borehole to the surface. (As an alternative, the cement slurry may be pumped down the tubing so that the borehole is filled with Portland cement or a Portland cement/fly ash mixture from a point approximately 100 feet above the top of the lowest minable coalbed to the surface with an expanding cement plug extending from at least 200 feet below the lowest minable coalbed to the bottom of the Portland cement.) There shall be at least 200 feet of expanding cement below the base of the lowest mineable coalbed.

(2) A small quantity of steel turnings, or other small magnetic particles, shall be embedded in the top of the cement near the surface to serve as a permanent magnetic monument of the borehole.

(c) When the vent pipe method is used for plugging oil and gas wells, the following procedures shall be utilized:

(1) A 4½ inch or larger vent pipe shall be run into the wellbore to a depth of 100 feet below the lowest minable coalbed and be wedged to a smaller diameter pipe, if desired, which will extend to a point approximately 20 feet above the bottom of the cleaned-out area of the borehole or bridge plug.

(2) A cement plug shall be set in the wellbore by pumping an expanding cement slurry, Portland cement, or a Portland cement fly ash mixture down the tubing to displace the gel so that the borehole is filled with cement. The borehole and the vent pipe shall be filled with expanding cement for a minimum of 200 feet below the base of the lowest minable coalbed. The top of the expanding cement shall extend upward to a point approximately 100 feet above the top of the lowest minable coalbed.

(3) All fluid shall be evacuated from the vent pipe to facilitate testing for gases. During the evacuation of fluid, the expanding cement shall not be disturbed.

(4) The top of the vent pipe shall be protected to prevent liquids or solids from entering the wellbore but shall permit ready access to the full internal diameter of the vent pipe when necessary.

(d) The following procedures shall be utilized when oil or gas wells are plugged for subsequent use as degasification boreholes:

(1) A cement plug shall be set in the wellbore by pumping an expanding cement slurry down the tubing to displace the gel and provide at least 200 feet of expanding cement below the lowest minable coalbed. The top of the expanding cement shall extend upward to a point above the top of the coalbed being mined. This distance shall be based on the average height of the roof strata breakage for the mine.

(2) To facilitate methane drainage, degasification casing of suitable diameter, slotted or perforated throughout its lower 150 to 200 feet, shall be set in the borehole to a point 10 to 30 feet above the top of the expanding cement.

(3) The annulus between the degasification casing and the borehole wall shall be cemented from a point immediately above the slots or perforations to the surface.

(4) The degasification casing shall be cleaned out for its total length.

(5) The top of the degasification casing shall be fitted with a wellhead equipped as required by the District Manager. Such equipment may include check valves, shut in valves, sampling ports, flame arrestor equipment, and security fencing.

(e) The well-plugging procedures described in previous sections and the following cut through procedures apply whenever the petitioner reduces the safety barrier diameter to a distance less than the District Manager would approve, pursuant to 30 CFR 75.1700, or whenever the petitioner proceeds with an intent to cut through a plugged well:

(1) Prior to reducing the safety barrier to a distance less than the District Manager would approve pursuant to 30 CFR 75.1700 or proceeding with an intent to cut through a plugged well, the operator shall notify the District Manager or his designee.

(2) The MSHA District Manager or designee shall conduct a conference prior to mining through any plugged well to review and approve the specific procedures for mining through the well. Representatives of the operator, the representative of the miners, and the appropriate State agency shall be informed, within a reasonable time prior to the conference, and be given an opportunity to attend and participate. This meeting may be called by the operator.

(3) Mining through a plugged well shall be done on a shift approved by the District Manager or designee.

(4) The District Manager or designee, representative of the miners, and the appropriate State agency shall be notified by the operator in sufficient time prior to the mining through operation in order to have an opportunity to have representatives present.

(5) When using continuous mining equipment, drivage sights shall be installed at the last open crosscut near the place to be mined to ensure intersection of the well. The drivage sites shall not be more than 50 feet from the well. When using longwall mining methods, drivage sights shall be installed on 10-foot centers for a distance of 50 feet in advance of the well bore. The drivage sights shall be installed in the headgate and tailgate.

(6) Firefighting equipment, including the fire extinguishers, rock dust, and sufficient fire hoses that reach the working face area of the mining through shall be available when either the conventional or continuous mining method is used. The fire hoses shall be in the last open crosscut of the entry or room. All fire hoses shall be ready for operation during the mining through.

(7) Sufficient supplies of roof support and ventilation materials shall be available and located at the last open crosscut. In addition, an emergency plug and/or plugs shall be available in the immediate area of the mine through.

(8) At least the quantity of air required by the approved mine ventilation plan, but not less than 6,000 cubic feet of air per minute for scrubber equipped continuous miners or not less than 9,000 cubic feet per minute for continuous miner sections using auxiliary fans or line brattice only, shall be used to ventilate the working face during the mining through operation. The quantity of air required by the ventilation plan, but not less than 30,000 cfm, shall reach the working face of each longwall during the mine-through operation.

(9) Equipment shall be checked for permissibility and serviced on the shift prior to mining through the well and the water line maintained to the tail piece with enough fire hose to reach the farthest point of penetration on the section.

(10) The methane monitor on the continuous mining machine shall be calibrated on the shift prior to mining through the well.

(11) When mining is in progress, tests for methane shall be made with a handheld methane detector at least every 10 minutes from the time when the mining with the continuous mining machine is within 30 feet of the well until the well is intersected and immediately prior to mining through. When mining with longwall mining equipment, the tests for methane shall be made at least every 10 minutes when the longwall face is withing 30 feet of

the well. During the actual cutting through process, no individual shall be allowed on the return side until mining through has been completed and the area has been examined and declared safe.

(12) When using continuous mining methods, the working place shall be free from accumulations of coal dust and coal spillages, and rock dust shall be placed on the roof, rib, and floor to within 20 feet of the face when mining through or near the well on the shift or shifts during which the cut through will occur. On longwall sections rock dusting shall be conducted and placed on the roof, rib, and floor up to both headgate and tailgate gob.

(13) When the wellbore is intersected, all equipment shall be deenergized and the place thoroughly examined and determined safe before mining is resumed. Any well casing shall be removed, and no open flame shall be permitted in the area until adequate ventilation has been established around the wellbore.

(14) After a well has been intersected and the working place determined safe, mining shall continue in-by the well a sufficient distance to permit adequate ventilation around the area of the wellbore.

(15) No person shall be permitted in the area of the mining-through operation except those engaged in the operation, company personnel, representatives of the miners, personnel from MSHA, and personnel from the appropriate State agency.

(16) The mining-through operation shall be under the direct supervision of a certified official. Instructions concerning the mining-through operation shall be issued only by the certified official in charge.

(17) MSHA personnel may interrupt or halt the mining-through operation when it is necessary for the safety of the miners.

(18) A copy of the petition shall be maintained at the mine and be available to the miners.

(19) The Petitioner shall file a plugging affidavit setting forth the persons who participated in the work, a description of the plugging work, and a certification by the Petitioner that the well has been plugged as described.

(20) The Petitioner shall submit proposed revisions for its approved 30 CFR 48 training plan to the Coal Mine Safety and Health District Manager. These proposed revisions shall include initial and refresher training.

(f) This petition for modification applies to all types of mining such as continuous miner sections continuous mining utilizing mobile bridge, and longwall.

The petitioner asserts that the alternative method proposed will at all times guarantee no less than the same measure of protection afforded the miners under the mandatory standard.

Song-ae Aromie Noe,

Director, Office of Standards, Regulations, and Variances.

[FR Doc. 2022–12040 Filed 6–3–22; 8:45 am]

BILLING CODE 4520–43–P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA–2022–0002]

National Advisory Committee on Occupational Safety and Health (NACOSH): Notice of Meeting

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of NACOSH meeting.

SUMMARY: The National Advisory Committee on Occupational Safety and Health (NACOSH) will meet June 30, 2022, by WebEx. In conjunction with the committee meeting, the NACOSH Heat Injury and Illness Prevention Work Group will meet separately on June 30, 2022.

DATES:

NACOSH Work Group meeting: The NACOSH Heat Injury and Illness Prevention Work Group (Heat Work Group) will meet from 1:00 p.m. to 3:00 p.m., ET, Thursday, June 30, 2022.

NACOSH meeting: NACOSH will meet from 3:30 p.m. to 5:30 p.m., ET, Thursday, June 30, 2022.

ADDRESSES:

Submission of comments and requests to speak: Submit comments and requests to speak at the NACOSH meeting by June 23, 2022, identified by the docket number for this **Federal Register** notice (Docket No. OSHA–2022–0002), using the following method:

Electronically: Comments and request to speak, including attachments, must be submitted electronically at *www.regulations.gov,* the Federal eRulemaking Portal. Follow the online instructions for submitting comments.

Requests for special accommodations: Submit requests for special accommodations for this NACOSH meeting by June 23, 2022, to Ms. Carla Marcellus, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone: (202) 693–1865; email: *marcellus.carla@dol.gov.*

Instructions: All submissions must include the agency name and the OSHA docket number for this **Federal Register** notice (Docket No. OSHA–2022–0002). OSHA will place comments and requests to speak, including personal information, in the public docket, which may be available online. Therefore, OSHA cautions interested parties about submitting personal information such as Social Security numbers and birthdates.

Docket: To read or download documents in the public docket for this NACOSH meeting, go to *www.regulations.gov.* All documents in the public docket are listed in the index; however, some documents (*e.g.,* copyrighted material) are not publicly available to read or download through *www.regulations.gov.* All submissions, including copyrighted material, are available for inspection through the OSHA Docket Office. Contact the OSHA Docket Office at (202) 693–2350 (TTY (877) 889–5627) for assistance in locating docket submissions.

Participation in the NACOSH Heat Work Group meeting: Members of the public may attend the NACOSH Heat Work Group meeting. However, any participation by the public will be in listen-only mode. OSHA is not receiving public comments or requests to speak at the Heat Work Group meeting.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693–1999; email: *meilinger.francis2@dol.gov.*

For general information about NACOSH: Ms. Lisa Long, Acting Deputy Director, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone: (202) 693–2409; email: *long.lisa@dol.gov.*

Telecommunication requirements: For additional information about the telecommunication requirements for the meeting, please contact Ms. Carla Marcellus, Directorate of Standards and Guidance, OSHA, U.S. Department of Labor; telephone: (202) 693–1865; email: *marcellus.carla@dol.gov.*

For copies of this **Federal Register** *Notice:* Electronic copies of this **Federal Register** notice are available at *www.regulations.gov.* This notice, as well as news releases and other relevant information, are also available at OSHA's web page at *www.osha.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

NACOSH was established by Section 7(a) of the Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651, 656) to advise, consult with, and

make recommendations to the Secretary of Labor and the Secretary of Health and Human Services on matters relating to the administration of the OSH Act. NACOSH is a continuing advisory committee of indefinite duration.

NACOSH operates in accordance with the Federal Advisory Committee Act (FACA) (5 U.S.C. App.2), its implementing regulations (41 CFR part 102–3), and OSHA's regulations on NACOSH (29 CFR 1912.5 and 29 CFR part 1912a).

The establishment of subcommittees and subgroups, such as the NACOSH Heat Work Group, is contemplated by both the FACA's implementing regulations and OSHA's regulations on NACOSH (see, *e.g.,* 41 CFR 102–3.135; 29 CFR 1912a.13). The Heat Work Group will operate in accordance with the FACA and these regulations.

II. Meeting Information

NACOSH Heat Work Group Meeting: Attendee WebEx link: *https://usdolee.webex.com/usdolee/onstage/g.php?MTID=e2fd6f3749961760386cf6339d32ce3d7*, Access code: 2763 260 4490, Webinar password: Welcome!24.

NACOSH Meeting: Attendee WebEx link: *https://usdolee.webex.com/usdolee/onstage/g.php?MTID=e9379ff2f534d96912c5aac2a04cc774e*, Access code: 2762 455 5864, Webinar password: Welcome!24.

The tentative agenda will include an agency update from OSHA and a report from the Heat Work Group.

Authority and Signature

James S. Frederick, Deputy Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice under the authority granted by 29 U.S.C. 655(b)(1) and 656(b), 5 U.S.C. App. 2, 29 CFR parts 1912 and 1912a, and Secretary of Labor's Order No. 8–2020 (85 FR 58393).

Signed at Washington, DC, on May 27, 2022.

James S. Frederick,

Deputy Assistant Secretary for Occupational Safety and Health.

[FR Doc. 2022–12070 Filed 6–3–22; 8:45 am]

BILLING CODE 4510–26–P

NEIGHBORHOOD REINVESTMENT CORPORATION

Sunshine Act Meetings

TIME AND DATE: 2:00 p.m., Thursday, June 16, 2022.

PLACE: Via conference call.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Annual Board of Directors meeting.

The General Counsel of the Corporation has certified that in his opinion, one or more of the exemptions set forth in the Government in the Sunshine Act, 5 U.S.C. 552b (c)(2) and (4) permit closure of the following portion(s) of this meeting:

- Executive Session

Agenda

I. CALL TO ORDER
II. Sunshine Act Approval of Executive (Closed) Session
III. Executive Session Report from CEO
IV. Executive Session: Report from CFO
V. Executive Session: General Counsel Report
VI. Executive Session: NeighborWorks Compass ™ Update
VII. Executive Session: Officer Compensation Review
VIII. Action Item Board Appointments
IX. Action Item Management Elections
X. Action Item Approval of Minutes
XI. Action Item Grants to Capital Corporations
XII. Discussion Item Annual Ethics Review
XIII. Discussion Item DC Office Relocation Budget Update
XIV. Discussion Item Governance Operations Guide Annual Review
XV. Management Program Background and Updates
XVI. Adjournment

PORTIONS OPEN TO THE PUBLIC: Everything except the Executive Session.

PORTIONS CLOSED TO THE PUBLIC: Executive Session.

CONTACT PERSON FOR MORE INFORMATION: Lakeyia Thompson, Special Assistant, (202) 524–9940; *Lthompson@nw.org.*

Lakeyia Thompson,

Special Assistant.

[FR Doc. 2022–12281 Filed 6–2–22; 4:15 pm]

BILLING CODE 7570–02–P

NUCLEAR REGULATORY COMMISSION

[NRC–2022–0001]

Sunshine Act Meetings

TIME AND DATE: Weeks of June 6, 13, 20, 27, July 4, 11, 2022. The schedule for Commission meetings is subject to change on short notice. The NRC Commission Meeting Schedule can be found on the internet at: *https://www.nrc.gov/public-involve/public-meetings/schedule.html.*

PLACE: The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (*e.g.,* braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301–287–0745, by videophone at 240–428–3217, or by email at *Anne.Silk@nrc.gov.* Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

STATUS: Public.

Members of the public may request to receive the information in these notices electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555, at 301–415–1969, or by email at *Wendy.Moore@nrc.gov* or *Betty.Thweatt@nrc.gov.*

MATTERS TO BE CONSIDERED:

Week of June 6, 2022

There are no meetings scheduled for the week of June 6, 2022.

Week of June 13, 2022

Tuesday, June 14, 2022

10:00 a.m. Briefing on Human Capital and Equal Employment Opportunity; (Contact: Nicole Newton: 301–415–8316)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—*https://video.nrc.gov/.*

Thursday, June 16, 2022

10:00 a.m. Briefing on Results of the Agency Action Review Meeting; (Contact: Nicole Fields: 630–829–9570)

Additional Information: The meeting will be held in the Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland. The public is invited to attend the Commission's meeting in person or watch live via webcast at the Web address—*https://video.nrc.gov/.*

Week of June 20, 2022—Tentative

There are no meetings scheduled for the week of June 20, 2022.

Week of June 27, 2022—Tentative

There are no meetings scheduled for the week of June 27, 2022.

Week of July 4, 2022—Tentative

There are no meetings scheduled for the week of July 4, 2022.

Week of July 11, 2022—Tentative

There are no meetings scheduled for the week of July 11, 2022.

CONTACT PERSON FOR MORE INFORMATION: For more information or to verify the status of meetings, contact Wesley Held at 301–287–3591 or via email at *Wesley.Held@nrc.gov.*

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated: June 2, 2022.

For the Nuclear Regulatory Commission.

Wesley W. Held,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2022–12271 Filed 6–2–22; 4:15 pm]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–0289; NRC–2022–0115]

Constellation Energy Generation, LLC; Three Mile Island Nuclear Station, Unit 1

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption for Three Mile Island Nuclear Station, Unit 1 (TMI–1). The exemption would allow the licensee, Constellation Energy Generation, LLC (CEG) to use a portion of the TMI–1 decommissioning trust fund (DTF) for site restoration activities at TMI–1 without prior notice to the NRC. The NRC is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) associated with the proposed action.

DATES: The EA and FONSI referenced in this document are available on June 6, 2022.

ADDRESSES: Please refer to NRC–2022–0115 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0115. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumann@nrc.gov.* For technical questions, contact the individual listed in the ''For Further Information Contact'' section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Amy M. Snyder, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–415–6822, email: *Amy.Snyder@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering issuance of an exemption pursuant to section 50.12 of title 10 of the *Code of Federal Regulations* (10 CFR), ''Specific exemptions,'' for Renewed Facility Operating License No. DPR–50, for TMI–1, located in Londonderry Township, Dauphin County, Pennsylvania. By letter dated May 20, 2021, Exelon Generation Company, LLC, submitted a request for exemption from the specific requirements of 10 CFR 50.82(a)(8)(i)(A) and 50.75(h)(1)(iv). The exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) would permit the licensee to make withdrawals from the TMI–1 DTF for site restoration activities at TMI–1 without prior notice to the NRC, in the same manner that withdrawals are made under 10 CFR 50.82(a)(8) for radiological decommissioning activities. On February 1, 2022, the NRC was notified that the Exelon Generation Company, LLC changed its name to Constellation Energy Generation, LLC.

In accordance with 10 CFR 51.21, the NRC has prepared an EA that analyzes the environmental effects of the proposed action. Based on the results of this EA, and in accordance with 10 CFR 51.31(a), the NRC has determined not to prepare an environmental impact statement (EIS) for the proposed licensing action and is issuing a FONSI.

II. Environmental Assessment

Description of the Proposed Action

As described in the licensee's application dated May 20, 2021, the proposed action would partially exempt CEG from the requirements set forth in 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv). Specifically, the proposed action would allow CEG to use funds from the DTF for site restoration activities not associated with radiological decommissioning activities and would exempt CEG from meeting the requirement for prior notification to the NRC for these activities.

Need for the Proposed Action

By letter dated June 20, 2017, Exelon certified to the NRC that it had decided to permanently cease power operations at TMI–1 on or about September 30, 2019. Exelon permanently ceased power operations at TMI–1 on September 20, 2019, and certified all fuel is removed from the reactor core on September 26, 2019. On April 5, 2019, pursuant to 10 CFR 50.82(a)(4)(i), Exelon submitted the post-shutdown decommissioning activities report for TMI–1.

As required by 10 CFR 50.82(a)(8)(i)(A), decommissioning trust funds may be used by CEG, the current licensee, if the withdrawals are for legitimate decommissioning activity expenses, consistent with the definition of decommissioning in 10 CFR 50.2. This definition addresses radiological decontamination and does not include activities associated with spent fuel management or site restoration. The requirements of 10 CFR 50.75(h)(1)(iv) also restrict the use of DTF disbursements (other than for ordinary administrative costs and other incidental expenses of the fund in connection with the operation of the fund) to decommissioning expenses until final radiological decommissioning is completed. Therefore, an exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) is needed to allow CEG to use funds from the TMI–1 DTF for site restoration activities at TMI–1.

The requirements of 10 CFR 50.75(h)(1)(iv) further provide that,

except for withdrawals being made under 10 CFR 50.82(a)(8) or for payments of ordinary administrative costs and other incidental expenses of the fund in connection with the operation of the fund, no disbursement may be made from the DTF without written notice to the NRC at least 30 working days in advance. Therefore, an exemption from 10 CFR 50.75(h)(1)(iv) is also needed to allow CEG to use funds from the TMI–1 DTF for site restoration activities at TMI–1 without prior NRC notification.

Environmental Impacts of the Proposed Action

The proposed actions involve regulatory requirements that are of a financial or administrative nature and that do not have an impact on the environment. The NRC has completed its evaluation of the proposed action and concludes that there is reasonable assurance that adequate funds are available in the DTF to complete all activities associated with radiological decommissioning. There would be no decrease in safety associated with the use of the DTF to fund activities associated with site restoration. The NRC regulations in 10 CFR 50.82(a)(8)(v) require licensees to submit a financial assurance status report annually between the time of submitting their site-specific decommissioning cost estimate until they submit their final radiation survey and demonstrate that residual radioactivity has been reduced to a level that permits termination of the operating license. Section 50.82(a)(8)(vi) requires that if the sum of the balance of any remaining decommissioning funds, plus expected rate of return, plus any other financial surety mechanism relied upon by the licensee, does not cover the estimated costs to complete the decommissioning, the financial assurance status report must include additional financial assurance to cover the cost of completion. These annual reports provide a means for the NRC to monitor the adequacy of available funding.

The proposed exemption would allow CEG to use excess funds from the DTF to support site restoration activities not associated with radiological decontamination. The NRC staff has determined that there is reasonable assurance of adequate funding for radiological decommissioning. Specifically, CEG has provided detailed site-specific cost-estimates for radiological decommissioning that the NRC staff finds sufficiently demonstrate that the funds in the DTF dedicated to radiological decommissioning are adequate to complete decommissioning and terminate the TMI–1 license, with excess funding available to pay for site restoration activities within the scope of the exemption request. Thus, there is reasonable assurance that there will be no environmental effect due to lack of adequate funding for decommissioning.

The proposed actions will not significantly increase the probability or consequences of radiological accidents or change the types of effluents released offsite. In addition, there would be no significant increase in the amount of any radiological effluent released offsite, and no significant increase in occupational or public radiation exposure. There would be no materials or chemicals introduced into the plant affecting the characteristics or types of effluents released offsite. In addition, waste processing systems would not be affected by the proposed exemption. Therefore, there would be no significant radiological environmental impacts associated with the proposed actions.

Regarding potential nonradiological impacts, the proposed actions would have no direct impacts on land use or water resources, including terrestrial and aquatic biota, as it involves no new construction or modification of plant operational systems. There would be no changes to the quality or quantity of nonradiological effluents, and no changes to the plant's National Pollutant Discharge Elimination System permits would be needed. In addition, there would be no noticeable effect on socioeconomic and environmental justice conditions in the region, no air quality impacts, and no potential to affect historic properties. Therefore, there would be no significant nonradiological environment impacts associated with the proposed actions.

Accordingly, the NRC concludes that there would be no significant environmental impacts associated with the proposed actions.

Environmental Impacts of the Alternatives to the Proposed Action

As an alternative to the proposed action, the NRC staff considered the denial of the proposed actions (*i.e.,* the ''no-action'' alternative). Denial of the exemption requests would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action would be similar.

Alternative Use of Resources

There are no unresolved conflicts concerning alternative uses of available resources under the proposed action.

Agencies and Persons Consulted

In accordance with its stated policy, on May 3, 2022, the staff consulted with Commonwealth of Pennsylvania, regarding the environmental impact of the proposed action. The state official had no comments on the proposed EA and FONSI.

III. Finding of No Significant Impact

The licensee has requested exemptions from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv), which would allow CEG to use funds from the DTF for site restoration activities, without prior written notification to the NRC. The NRC is considering issuing the requested exemption. The proposed action would not significantly affect plant safety, would not have a significant adverse effect on the probability of an accident occurring, and would not have any significant radiological or nonradiological impacts. The reason the human environment would not be significantly affected is that the proposed action involves an exemption from requirements that are of a financial or administrative nature and that do not have an impact on the human environment.

Consistent with 10 CFR 51.21, the NRC conducted the EA for the proposed action, and this FONSI incorporates by reference the EA included in Section II of this notice. Therefore, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined there is no need to prepare an EIS for the proposed action.

As required by 10 CFR 51.32(a)(5), the related environmental document is the ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Regarding Three Mile Island Nuclear Station, Unit 1, Final Report,'' (NUREG–1437, Supplement 37), which provides the latest environmental review of current operations and description of environmental conditions at TMI–1.

IV. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS.

Document	ADAMS Accession No.
Notification of Completion of License Transfer and Request to Continue Processing Pending NRC Actions Previously Requested by Exelon Generation Company, LLC, dated February 1, 2022	ML22032A333
Three Mile Island Nuclear Station, Unit 1, Request for Exemption from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv), dated May 20, 2021	ML21140A311
Three Mile Island Nuclear Station, Unit 1—Certification of Permanent Cessation of Power Operations, dated June 20, 2017	ML17171A151
Certification of Permanent Removal of Fuel from the Reactor Vessel for Three Mile Island Nuclear Station, Unit 1, dated September 26, 2019	ML19269E480
Three Mile Island Nuclear Station, Unit 1—Post-Shutdown Decommissioning Activities Report, dated April 5, 2019	ML19095A041
NUREG–1437, Supplement 37, ''Generic Environmental Impact Statement for License Renewal of Nuclear Plants, Supplement 37, Regarding Three Mile Island Nuclear Station, Unit 1,'' dated June 2009	ML091751063
Three Mile Island Nuclear Station, Unit 1—Proposed Action—Proposed FONSI for TMI–1 Exemption Request from 10 CFR 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(1)(iv) notification of Commonwealth of Pennsylvania Response, dated May 3, 2022	ML22125A010

Dated: June 1, 2022.

For the Nuclear Regulatory Commission.

Jane E. Marshall,

Director, Division of Decommissioning, Uranium Recovery, and Waste Programs, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2022–12060 Filed 6–3–22; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72–1031; 72–38; 72–44; 72–45; and 72–77; NRC–2022–0113]

Constellation Energy Generation, LLC; Arizona Public Service Company; Duke Energy Carolinas, LLC

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemptions; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) issued four exemptions in response to requests from Arizona Public Service Company; Constellation Energy Generation, LLC; and Duke Energy Carolinas, LLC. The exemptions will allow the licensees to deviate from the requirements for the MAGNASTOR® storage cask system in Certificate of Compliance No. 1031, Amendment No. 7 and Amendment No. 9, by utilizing storage cask lids that were not fabricated in accordance with the requirements of two codes issued by the American Concrete Institute. The NRC is issuing a single notice to announce the issuance of these exemptions because these are nearly identical.

DATES: The two exemptions to Arizona Public Service Company; Constellation Energy Generation, LLC were issued on May 13, 2022, and two exemptions were issued to Duke Energy Carolinas, LLC on May 16, 2022.

ADDRESSES: Please refer to Docket ID NRC–2022–0113 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to *https://www.regulations.gov* and search for Docket ID NRC–2022–0113. Address questions about Dockets IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: *Stacy.Schumanns@nrc.gov.* For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at *https://www.nrc.gov/reading-rm/adams.html.* To begin the search, select ''Begin Web-based ADAMS Search.'' For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to *PDR.Resource@nrc.gov.* For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the ''Availability of Documents'' section.
- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to *PDR.Resource@nrc.gov* or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Bernard White, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6577, email: *Bernard.White@nrc.gov.*

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC issued four exemptions in response to requests dated March 31, 2022, and April 7, 2022, from Constellation Energy Generation, LLC and Arizona Public Service Company; and Duke Energy Carolinas, LLC, respectively. The exemptions allow exemption from the requirements of title 10 of the Code of Federal Regulations (10 CFR) sections 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.214, and the portion of 10 CFR 72.212(b)(11) which requires compliance with the terms and conditions set forth in the certificate of compliance for each spent fuel cask used by an independent spent fuel storage installation general licensee.

The exemptions requested authorization to load, and store spent fuel in MAGNASTOR® storage casks with lids that were not fabricated in accordance with Technical Specification A4.2 as specified in Amendment Nos. 7 and 9 of the NAC International Certificate of Compliance No. 1031 for the MAGNASTOR® storage system. Amendment No. 7 is used at the Catawba, McGuire and Palo Verde independent spent fuel storage installations. Amendment No. 9 is used at the Three Mile Island, Unit I independent spent fuel storage installation.

Technical Specification, Appendix A, A4.2 requires the concrete cask to be designed and fabricated in accordance with the American Concrete Institute Specifications ACI–349, ''Code Requirements for Nuclear Safety Related Concrete Structures,'' and ACI–318, ''Building Code Requirements for Structural Concrete,'' which according to the technical specifications govern the concrete cask design and construction, respectively.

NAC submitted an amendment request to eliminate the need for compliance with the referenced technical specification for the concrete in the cask lids in the Certificate of Compliance No. 1031 for the

MAGNASTOR® storage system, however the exemptions were necessary to meet loading campaigns scheduled before resolution of the NAC's amendment request. The applications provided information documenting that concrete in the cask lids is not relied upon for the strength safety function provided by the ACI codes in Technical Specification, Appendix A, A4.2, and the concrete in the cask lids was fabricated using standards that ensure the concrete will continue to meet the required shielding safety function.

Based on the NRC staff's evaluation of the exemption requests, and the statements and representations provided by the applicants in the exemption requests, the staff concluded that the proposed actions to exempt the cask lids from the current Technical Specification in A4.2 at each of the ISFSI sites is authorized by law and will not endanger life, property, or the common defense and security, and is otherwise in the public interest and, therefore meets the exemption requirements in 10 CFR 72.7.

II. Availability of Documents

The following table provides the facility name, docket number, document description, and ADAMS accession numbers related to each exemption issued. For further details with respect to these exemptions, see the requests for exemption for each facility in ADAMS. For additional directions on accessing information in ADAMS see the **ADDRESSES** section of this document.

Document description	ADAMS Accession No.
Palo Verde Independent Spent Fuel Storage Installation	
Docket No. 72–44	
Palo Verde Nuclear Generating Station Units 1, 2, and 3 and Independent Spent Fuel Storage Installation Docket Nos. STN 50–528/529/530 and 72–44 Renewed Operating License Nos. NPF–41, NPF–51, NPF–74 Request for Exemption from NAC–MAGNASTOR Certificate of Compliance 72–1031—Cask Lid Design Requirements, dated March 31, 2022.	ML22090A098.
Palo Verde Nuclear Generating Station Units 1, 2, and 3 and Independent Spent Fuel Storage Installation Docket Nos. STN 50–528/529/530 and 72–44 Renewed Operating License Nos. NPF–41, NPF–51, NPF–74 Request for Exemption from NAC–MAGNASTOR Certificate of Compliance 72–1031—Cask Lid Design Requirements—Supplement, dated April 28, 2022.	ML22118B162.
Issuance of exemption for Palo Verde ISFSI	ML22111A282 (Package).
Three Mile Island, Unit 1 Independent Spent Fuel Storage Installation	
Docket No. 72–77.	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR® Storage System, dated March 31, 2022.	ML22090A182.
Supplemental Information to Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR® Storage System, dated April 26, 2022.	ML22116A236.
Issuance of exemption for TMI–1 ISFSI	ML22110A110 (Package).
Catawba Independent Spent Fuel Storage Installation	
Docket No. 72–45.	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR Storage System, dated April 7, 2022.	ML22097A057.
Supplement to the Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR Storage System, dated April 28, 2022.	ML22118B165.
Issuance of exemption for Catawba ISFSI	ML22111A356 (Package).
McGuire Independent Spent Fuel Storage Installation	
Docket No. 72–38.	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR Storage System, dated April 7, 2022.	ML22097A057.
Supplement to the Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 for the NAC MAGNASTOR Storage System, dated April 28, 2022.	ML22118B165.
Issuance of exemption for McGuire ISFSI	ML22111A310 (Package).
NAC International Amendment Request	
Submission of an Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 12, dated January 24, 2022.	ML22024A374.
Supplement to NAC's Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 12, dated March 18, 2022.	ML22077A769.
RAI Response to NAC's Amendment Request for the NAC International MAGNASTOR® Cask System Amendment No. 12, dated April 18, 2022.	ML22108A197.

The NRC may post additional materials related to this document, included public comments, on the Federal rulemaking website. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additional occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2022–0113);

(2) click the ''Subscribe'' link, and (3) enter your email address and click on ''Subscribe'' link.

Dated: May 31, 2022.

For the Nuclear Regulatory Commission.

Yoira K. Diaz-Sanabria,

Chief,Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2022–12039 Filed 6–3–22; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from October 1, 2021 to October 31, 2021.

FOR FURTHER INFORMATION CONTACT: Julia Alford, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at *www.gpo.gov/fdsys/*. OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

Schedule A

Department of State (Sch. A, 213.3104)

(g) Bureau of Population, Refugees, and Migration—

(1) Not to exceed 20 positions at grades GS–5 through 15 on the staff of the Bureau.

Schedule B

No Schedule B Authorities to report during October 2021.

Schedule C

The following Schedule C appointing authorities were approved during October 2021.

Agency name	Organization name	Position title	Authorization No.	Effective date
DEPARTMENT OF AGRICULTURE.	Office of Communications	Deputy Press Secretary	DA220001	10/21/2021
	Farm Service Agency	Policy Advisor (2)	DA220007	10/21/2021
			DA220012	10/24/2021
		State Executive Director—Mississippi.	DA220010	10/29/2021
	Office of the Under Secretary for Research, Education, and Economics.	Special Assistant	DA220011	10/21/2021
	Office of Rural Development	State Director—Arizona	DA220003	10/29/2021
		State Director—Wisconsin	DA220004	10/29/2021
		State Director—Colorado	DA220009	10/29/2021
DEPARTMENT OF COMMERCE	Bureau of Industry and Security	Director of Congressional and Public Affairs.	DC220006	10/07/2021
	Office of International Trade Administration.	Press Secretary	DC220015	10/25/2021
	Minority Business Development Agency.	Senior Advisor	DC220017	10/22/2021
	Office of Executive Secretariat	Deputy Director, Office of Executive Secretariat.	DC220014	10/22/2021
	Office of Legislative and Intergovernmental Affairs.	Special Assistant	DC220013	10/22/2021
	Office of the General Counsel	Special Assistant	DC220002	10/10/2021
DEPARTMENT OF THE AIR FORCE.	Office of the Assistant Secretary Air Force, Installations, Environment, and Energy.	Special Assistant	DF210028	10/13/2021
DEPARTMENT OF EDUCATION	Office of Career Technical and Adult Education.	Senior Advisor	DB210140	10/18/2021
	Office of the Secretary	Senior Advisor	DB210141	10/18/2021
	Office of Communications and Outreach.	Deputy Press Secretary	DB210143	10/18/2021
ENVIRONMENTAL PROTECTION AGENCY.	Office of Public Affairs	Senior Advisor for Digital Strategies and Content Development.	EP220007	10/27/2021
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.	Office of the Chair	Writer-Editor (Speeches)	EE220001	10/15/2021
FEDERAL MEDIATION AND CONCILIATION SERVICE.	Office of the Director	Management and Program Analyst	FM210001	10/20/2021
GENERAL SERVICES ADMINISTRATION.	Office of General Counsel	Counsel to the General Counsel	GS220001	10/10/2021
	Office of the Administrator	Special Assistant	GS220002	10/12/2021
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Administration for Children and Families.	Senior Advisor (2)	DH210250	10/01/2021
			DH220010	10/21/2021
	Office of Administration for Community Living.	Special Assistant	DH220005	10/15/2021
	Office of Intergovernmental and External Affairs.	Special Assistant	DH220003	10/15/2021

Agency name	Organization name	Position title	Authorization No.	Effective date
		Regional Director, Dallas, TX, Region VI.	DH220004	10/26/2021
	Office of the Assistant Secretary for Public Affairs.	Press Assistant	DH220006	10/19/2021
		Special Assistant	DH220007	10/20/2021
	Office of the Secretary	Special Assistant	DH210244	10/06/2021
DEPARTMENT OF HOMELAND SECURITY.	Office of the United States Customs and Border Protection.	Advisor to the Commissioner	DM210477	10/20/2021
	Office of the Secretary	Deputy White House Liaison	DM220014	10/24/2021
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Community Planning and Development.	Senior Advisor	DU220004	10/12/2021
	Office of Congressional and Intergovernmental Relations.	Deputy Assistant Secretary for Intergovernmental Relations.	DU220005	10/21/2021
	Office of Field Policy and Management.	Regional Administrator Region VII	DU220001	10/26/2021
		Regional Administrator Region VIII	DU220002	10/26/2021
DEPARTMENT OF THE INTERIOR.	Secretary's Immediate Office	Director, Office of Scheduling and Advance.	DI210142	10/04/2021
DEPARTMENT OF JUSTICE	Office of Community Relations Service.	Senior Counsel	DJ210181	10/07/2021
	Office of Legislative Affairs	Counsel	DJ210179	10/07/2021
		Senior Counsel	DJ220001	10/07/2021
	Office of Public Affairs	Chief Speechwriter	DJ220006	10/26/2021
	Office of Violence Against Women	Policy Advisor	DJ210178	10/07/2021
DEPARTMENT OF LABOR	Office of Occupational Safety and Health Administration.	Senior Policy Advisor	DL220001	10/27/2021
	Office of Public Affairs	Deputy Speechwriter	DL220002	10/28/2021
	Office of the Deputy Secretary	Senior Advisor	DL220005	10/28/2021
	Office of the Solicitor	Counsel	DL220003	10/19/2021
	Office of Veterans Employment and Training Service.	Special Assistant	DL210125	10/06/2021
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.	Office of Communications	Senior Advisor for Strategic Communications.	NN210073	10/07/2021
OFFICE OF MANAGEMENT AND BUDGET.	Office of E-Government and Information Technology.	Senior Advisor for Technology and Delivery (United States Digital Service).	BO210081	10/01/2021
	Office of Information and Regulatory Affairs.	Counselor	BO210083	10/01/2021
	Office of Communications	Deputy Associate Director for Communications.	BO220003	10/25/2021
SECURITIES AND EXCHANGE COMMISSION.	Office of the Chairman	Senior Advisor	SE210030	10/19/2021
	Office of General Counsel	General Counsel	SE220002	10/29/2021
SMALL BUSINESS ADMINISTRATION.	Office of Entrepreneurial Development.	Assistant Administrator for Native American Affairs.	SB220004	10/24/2021
	Office of Field Operations	Regional Administrator, Region I	SB220005	10/29/2021
		Regional Administrator, Region II	SB220001	10/29/2021
		Regional Administrator, Region III	SB210054	10/29/2021
		Regional Administrator, Region IV	SB220008	10/29/2021
		Regional Administrator, Region IX	SB220003	10/29/2021
		Regional Administrator, Region X	SB220002	10/29/2021
	Office of the Administrator	Director of Advance	SB220007	10/29/2021
DEPARTMENT OF STATE	Office of the Under Secretary for Public Diplomacy and Public Affairs.	Senior Advisor	DS220002	10/06/2021
TRADE AND DEVELOPMENT AGENCY.	Office of the Director	Director of Public Engagement	TD210003	10/10/2021
DEPARTMENT OF TRANSPORTATION.	National Highway Traffic Safety Administration.	Director of Governmental and External Affairs.	DT220001	10/29/2021
	Office of the Executive Secretariat	Engagement Program Manager	DT220003	10/29/2021
DEPARTMENT OF THE TREASURY.	Under Secretary for Terrorism and Financial Intelligence.	Senior Advisor	DY220004	10/25/2021
DEPARTMENT OF VETERANS AFFAIRS.	Office of the Secretary and Deputy	Special Assistant	DV210115	10/13/2021

The following Schedule C appointing authorities were revoked during October 2021.

Agency name	Organization name	Position title	Request No.	Vacate date
CONSUMER PRODUCT SAFETY COMMISSION.	Office of Communications	Supervisory Public Affairs Specialist.	PS190003	10/12/2021
DEPARTMENT OF ENERGY	Office of the Assistant Secretary for Congressional and Intergovernmental Affairs.	Special Assistant	DE210149	10/09/2021
	Office of the Assistant Secretary for Energy Efficiency and Renewable Energy.	Special Assistant	DE210120	10/09/2021
	Office of the Assistant Secretary for Fossil Energy.	Special Assistant	DE210107	10/09/2021
	Office of the Assistant Secretary for International Affairs.	Special Assistant	DE210121	10/09/2021
	Office of Policy	Special Assistant	DE210139	10/09/2021
	Office of Public Affairs	Press Secretary	DE210128	10/01/2021
	Office of Under Secretary for Science.	Special Assistant	DE210129	10/09/2021
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of the Assistant Secretary for Preparedness and Response.	Special Assistant	DH210142	10/23/2021
	Office of the Assistant Secretary for Public Affairs.	Press Secretary	DH210096	10/28/2021
DEPARTMENT OF THE INTERIOR.	Secretary's Immediate Office	Deputy Director, Office of Scheduling and Advance.	DI210121	10/09/2021
FEDERAL TRADE COMMISSION	Office of the Chair	Technology Advisor	FT180008	10/08/2021
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.	Office of the Administrator	White House Liaison	NN210017	10/24/2021
NATIONAL ENDOWMENT FOR THE HUMANITIES.	National Endowment for the Humanities.	Director of Congressional Affairs	NH170008	10/10/2021
NATIONAL TRANSPORTATION SAFETY BOARD.	Office of Board Members	Special Assistant (2)	TB190001	10/01/2021
			TB090012	10/23/2021
SECURITIES AND EXCHANGE COMMISSION.	Office of the Chairman	Senior Advisor	SE210028	10/19/2021

(Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.)

Office of Personnel Management.

Stephen Hickman,

Federal Register Liaison.

[FR Doc. 2022–12093 Filed 6–3–22; 8:45 am]

BILLING CODE 6325–39–P

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from February 1, 2022 to February 28, 2022.

FOR FURTHER INFORMATION CONTACT: Julia Alford, Senior Executive Resources Services, Senior Executive Services and Performance Management, Employee Services, 202–606–2246.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at *www.gpo.gov/fdsys/*. OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

Schedule A

No Schedule A Authorities to report during February 2022.

Schedule B

No Schedule B Authorities to report during February 2022.

Schedule C

The following Schedule C appointing authorities were approved during February 2022.

Agency name	Organization name	Position title	Authorization number	Effective date
DEPARTMENT OF AGRICULTURE	Farm Service Agency	State Executive Director—Florida	DA220072	02/11/2022
		State Executive Director—Alaska	DA220091	02/25/2022
		State Executive Director—Kansas	DA220073	02/11/2022
		State Executive Director—Nevada	DA220089	02/25/2022
		State Executive Director—New Jersey.	DA220080	02/11/2022
		State Executive Director—North Dakota.	DA220092	02/26/2022
		State Executive Director—Oklahoma.	DA220079	02/11/2022
		State Executive Director—Vermont	DA220077	02/11/2022
		State Executive Director—Washington.	DA220074	02/11/2022
	Office of the Under Secretary for Food, Nutrition and Consumer Services.	Chief of Staff	DA220093	02/25/2022
	Office of the Under Secretary for Marketing and Regulatory Programs.	Confidential Assistant	DA220094	02/25/2022
	Office of Rural Development	State Director—Wyoming	DA220075	02/11/2022
		State Director—New Jersey	DA220083	02/25/2022
		State Director—Indiana	DA220084	02/25/2022
		State Director—Minnesota	DA220086	02/25/2022
		State Director—Mississippi	DA220087	02/25/2022
		State Director—Massachusetts	DA220090	02/25/2022
		State Director—Hawaii	DA220071	02/26/2022
		State Director—Alaska	DA220095	02/26/2022
DEPARTMENT OF COMMERCE	Office of the General Counsel	Special Assistant	DC220064	02/10/2022
	Office of the Assistant Secretary for Economic Development.	Special Assistant	DC220066	02/10/2022
	Office of Public Affairs	Press Assistant	DC220067	02/10/2022
	Office of the Assistant Secretary Legislative and Intergovernmental Affairs.	Legislative Affairs Specialist	DC220068	02/10/2022
	Office of the International Trade Administration.	Senior Advisor	DC220071	02/15/2022
	National Oceanic and Atmospheric Administration.	Senior Advisor	DC220083	02/25/2022
DEPARTMENT OF DEFENSE	Office of the Assistant Secretary of Defense (Legislative Affairs).	Special Assistant	DD220096	02/16/2022
	Office of the Assistant Secretary of Defense (Strategy, Plans and Capabilities).	Special Assistant	DD220084	02/02/2022
	Office of the Assistant to the Secretary of Defense (Public Affairs).	Speechwriter	DD220097	02/24/2022
	Office of the Secretary of Defense	Deputy White House Liaison	DD220087	02/25/2022
	Office of the Under Secretary of Defense (Comptroller).	Special Assistant	DD220089	02/03/2022
	Office of the Under Secretary of Defense (Intelligence and Security).	Senior Intelligence Assistant	DD220092	02/08/2022
	Office of the Under Secretary of Defense (Policy).	Special Assistant	DD220098	02/24/2022
DEPARTMENT OF EDUCATION	Office of Communications and Outreach.	Special Assistant	DB220021	02/02/2022
		Senior Advisor	DB220022	02/02/2022
	Office of Planning, Evaluation and Policy Development.	Special Assistant	DB220020	02/02/2022
		Senior Advisor	DB220028	02/02/2022
	Office of the Secretary	Director, White House Liaison	DB220033	02/09/2022
		Senior Advisor	DB220027	02/14/2022
		Confidential Assistant	DB220034	02/14/2022
DEPARTMENT OF ENERGY	Office of the Assistant Secretary for Congressional and Intergovernmental Affairs.	Legislative Affairs Advisor (House)	DE220026	02/11/2022
	Office of General Counsel	Attorney-Advisor (General)	DE220023	02/18/2022
	Office of Economic Impact and Diversity.	Special Advisor for Stakeholder Engagement.	DE220028	02/18/2022
	Office of Management	Special Assistant for Advance	DE220034	02/18/2022
	Office of the Secretary	Special Assistant	DE220035	02/18/2022
FEDERAL TRADE COMMISSION	Office of the Chair	Confidential Assistant	FT220002	02/04/2022

Agency name	Organization name	Position title	Authorization number	Effective date
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Intergovernmental and External Affairs.	External Affairs Specialist	DH220041	02/03/2022
	Office of Refugee Resettlement/Office of the Director.	Special Assistant	DH220043	02/09/2022
	Office of the Assistant Secretary for Public Affairs.	Online Communications Director	DH220044	02/09/2022
	Office of the Assistant Secretary for Preparedness and Response.	Advisor	DH220045	02/11/2022
	Office of the Assistant Secretary for Health.	Director of Communications	DH220046	02/25/2022
DEPARTMENT OF HOMELAND SECURITY.	Federal Emergency Management Agency.	Special Assistant	DM220091	02/16/2022
	Office of Legislative Affairs	Chief of Staff	DM220097	02/25/2022
		Associate Director	DM220098	02/25/2022
	Office of Partnership and Engagement.	Partnership and Engagement Specialist (2).	DM220084	02/03/2022
			DM220083	02/08/2022
	Office of Public Affairs	Press Assistant	DM220094	02/16/2022
	Office of Strategy, Policy, and Plans.	Executive Director for the Department of Homeland Security Disinformation Governance Board.	DM220087	02/17/2022
	Office of United States Citizenship and Immigration Services.	Special Assistant to the Director	DM220063	02/01/2022
		Senior Advisor	DM220064	02/02/2022
		Deputy Chief of Staff	DM220075	02/08/2022
	Office of United States Customs and Border Protection.	Special Assistant	DM220099	02/15/2022
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of Government National Mortgage Association.	Senior Advisor	DU220026	02/05/2022
	Office of Field Policy and Management.	Regional Administrator (Region I) (2).	DU220028	02/09/2022
			DU220025	02/14/2022
	Office of the Secretary	Senior Advisor for Disaster Recovery.	DU220029	02/14/2022
		Special Assistant for Budget Policy and Programs.	DU220027	02/16/2022
	Office of the Deputy Secretary	Special Advisor	DU220032	02/28/2022
DEPARTMENT OF THE INTERIOR	Office of the Solicitor	Advisor to the Solicitor	DI220045	02/25/2022
DEPARTMENT OF LABOR	Office of the Assistant Secretary for Administration and Management.	Chief of Staff	DL220029	02/25/2022
NATIONAL ENDOWMENT FOR THE ARTS.	National Endowment for the Arts	Special Assistant to the Chair	NA220001	02/22/2022
OFFICE OF PERSONNEL MANAGEMENT.	Office of the General Counsel	Special Counsel and Senior Advisor.	PM220017	02/10/2022
	Office of the Director	Senior Advisor for Leadership Development and Equity.	PM220019	02/25/2022
SECURITIES AND EXCHANGE COMMISSION.	Office of Public Affairs	Writer-Editor (2)	SE220007	02/10/2022
			SE220008	02/17/2022
DEPARTMENT OF STATE	Office of the Under Secretary for Arms Control and International Security Affairs.	Senior Advisor	DS220019	02/11/2022
	Office of the Under Secretary for Economic Growth, Energy, and the Environment.	Special Representative	DS220020	02/11/2022
DEPARTMENT OF TRANSPORTATION.	Office of the Deputy Secretary	Chief of Staff to the Deputy Secretary.	DT220028	02/11/2022
	Office of Public Affairs	Deputy Press Secretary	DT220029	02/11/2022
	Office of the Assistant Secretary for Governmental Affairs.	Deputy Assistant Secretary for Congressional Affairs (Senate).	DT220031	02/22/2022

The following Schedule C appointing authorities were revoked during February 2022.

Agency name	Organization name	Position title	Request number	Vacate date
DEPARTMENT OF EDUCATION	Office of Communications and Outreach.	Special Assistant	DB210056	02/26/2022

Agency name	Organization name	Position title	Request number	Vacate date
	Office of Legislation and Congressional Affairs.	Special Assistant	DB210026	02/12/2022
	Office of Special Education and Rehabilitative Services.	Special Assistant	DB210073	02/26/2022
DEPARTMENT OF HEALTH AND HUMAN SERVICES.	Office of Refugee Resettlement/Office of the Director.	Special Assistant	DH210105	02/12/2022
	Office of the Assistant Secretary for Health.	Senior Advisor and Director of Scheduling and Advance.	DH210114	02/11/2022
	Office of the Assistant Secretary for Preparedness and Response.	Special Assistant Covid Response	DH210121	02/26/2022
	Office of the Secretary	Deputy White Liaison	DH210100	02/13/2022
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.	Office of the Administration	Director of Advance	DU210032	02/28/2022
ENVIRONMENTAL PROTECTION AGENCY.	Office of the Associate Administrator for Congressional and Intergovernmental Relations.	Deputy Associate Administrator for Congressional Affairs (Senate Relations).	EP210098	02/26/2022
OFFICE OF PERSONNEL MANAGEMENT.	Office of the Director	Senior Advisor for Appointee Leadership Development.	PM210036	02/26/2022
OFFICE OF THE SECRETARY OF DEFENSE.	Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs).	Staff Director	DD220001	02/26/2022
	Office of the Secretary of Defense	Special Assistant (2)	DD210155	02/26/2022
			DD210201	02/26/2022
	Office of the Under Secretary of Defense (Policy).	Special Assistant	DD210129	02/26/2022

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.

Stephen Hickman,

Federal Register Liaison.

[FR Doc. 2022–12090 Filed 6–3–22; 8:45 am]

BILLING CODE 6325–39–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2022–63 and CP2022–69]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 8, 2022.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at *http://www.prc.gov*. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202–789–6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

I. Introduction
II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (*http://www.prc.gov*). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.[1]

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s).:* MC2022–63 and CP2022–69; *Filing Title:* USPS Request to Add Parcel Select Contract 49 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* May 31, 2022; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative:* Christopher C. Mohr; *Comments Due:* June 8, 2022.

This Notice will be published in the **Federal Register**.

Erica A. Barker,

Secretary.

[FR Doc. 2022–12056 Filed 6–3–22; 8:45 am]

BILLING CODE 7710–FW–P

[1] *See* Docket No. RM2018–3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19–22 (Order No. 4679).

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–536, OMB Control No. 3235–0596]

Submission for OMB Review; Comment Request; Extension: Rule 204A–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

The title for the collection of information is ''Rule 204A–1 (17 CFR 275.204A–1) under the Investment Advisers Act of 1940.'' (15 U.S.C. 80b–1 *et seq.*) Rule 204A–1 (the ''Code of Ethics Rule'') requires investment advisers registered with the SEC to (i) set forth standards of conduct expected of advisory personnel (including compliance with the federal securities laws); (ii) safeguard material nonpublic information about client transactions; and (iii) require the adviser's ''access persons'' to report their personal securities transactions, including transactions in any mutual fund managed by the adviser. The Code of Ethics Rule requires access persons to obtain the adviser's approval before investing in an initial public offering (''IPO'') or private placement. The Code of Ethics Rule also requires prompt reporting, to the adviser's chief compliance officer or another person designated in the code of ethics, of any violations of the code. Finally, the Code of Ethics Rule requires the adviser to provide each supervised person with a copy of the code of ethics and any amendments, and require the supervised persons to acknowledge, in writing, their receipt of these copies. The purposes of the information collection requirements are to (i) ensure that advisers maintain codes of ethics applicable to their supervised persons; (ii) provide advisers with information about the personal securities transactions of their access persons for purposes of monitoring such transactions; (iii) provide advisory clients with information with which to evaluate advisers' codes of ethics; and (iv) assist the Commission's examination staff in assessing the adequacy of advisers' codes of ethics and assessing personal trading activity by advisers' supervised persons.

The respondents to this information collection are investment advisers registered with the Commission. The Commission has estimated that compliance with rule 204A–1 imposes a burden of approximately 87 hours per adviser annually based on an average adviser having 60 access persons. Our latest data indicate that there were 14,705 advisers registered with the Commission. Based on this figure, the Commission estimates a total annual burden of 1,275,659 hours for this collection of information.

Rule 204A–1 does not require recordkeeping or record retention. The collection of information requirements under the rule is mandatory. The information collected pursuant to the rule is not filed with the Commission, but rather takes the form of communications between advisers and their supervised persons. Investment advisers use the information collected to control and assess the personal trading activities of their supervised persons. Responses to the reporting requirements will be kept confidential to the extent each investment adviser provides confidentiality under its particular practices and procedures. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by July 6, 2022 to (i) *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: May 31, 2022.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12022 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–95005; File No. SR–EMERALD–2022–21]

Self-Regulatory Organizations; MIAX Emerald, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Fee Schedule

May 31, 2022.

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 18, 2022, MIAX Emerald, LLC (''MIAX Emerald'' or ''Exchange''), filed with the Securities and Exchange Commission (''Commission'') a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to amend the MIAX Emerald Fee Schedule (the ''Fee Schedule'').

The text of the proposed rule change is available on the Exchange's website at *http://www.miaxoptions.com/rule-filings/emerald,* at MIAX's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend Section 1)a)i) of the Fee Schedule to amend the Simple Maker (defined

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

below) rebates in all Tiers (defined below) for options transactions in Penny Classes (defined below) for executed Priority Customer [3] Origin orders. The Exchange originally filed this proposal on April 28, 2022 (SR–EMERALD–2022–17). On May 10, 2022, the Exchange withdrew SR–EMERALD–2022–17 and resubmitted this proposal (SR–EMERALD–2022–20). On May 18, 2022, the Exchange withdrew SR–EMERALD–2022–20 and resubmitted this proposal.

Background

The Exchange currently assesses transaction rebates and fees to all market participants, which are based upon a threshold tier structure (''Tier''). Tiers are determined on a monthly basis and are based on three alternative calculation methods, as defined in Section 1)a)ii) of the Fee Schedule. The calculation method that results in the highest Tier achieved by the Member [4] shall apply to all Origin types by the Member, except the Priority Customer Origin type. For the Priority Customer Origin calculation, the Tier applied for a Member and its Affiliates' [5] is solely determined by calculation Method 3, as defined in Section 1)a)ii) of the Fee Schedule, titled ''Total Priority Customer, Maker sides volume, based on % of CTCV ('Method 3')." The monthly volume thresholds for each of the methods, associated with each Tier, are calculated as the total monthly volume executed by the Member in all options classes on MIAX Emerald in the relevant Origins and/or applicable liquidity, not including Excluded Contracts,[6] (as the numerator) expressed as a percentage of (divided by) Customer Total Consolidated Volume (''CTCV'') (as the denominator). CTCV is calculated as the total national volume cleared at The Options Clearing Corporation (''OCC'') in the Customer range in those classes listed on MIAX Emerald for the month for which fees apply, excluding volume cleared at the OCC in the Customer range executed during the period of time in which the Exchange experiences an ''Exchange System Disruption'' [7] (solely in the option classes of the affected Matching Engine).[8] In addition, the per contract transaction rebates and fees shall be applied retroactively to all eligible volume once the Tier has been reached by the Member. Members that place resting liquidity, *i.e.,* orders on the MIAX Emerald System, will be assessed the specified ''maker'' rebate or fee (each a ''Maker'') and Members that execute against resting liquidity will be assessed the specified ''taker'' fee or rebate (each a ''Taker'').[9] Members are also assessed lower transaction fees and smaller rebates for order executions in standard option classes in the Penny Interval Program [10] (''Penny Classes'') than for order executions in standard option classes which are not in the Penny Program (''non-Penny Classes''), for which Members will be assessed a higher transaction fees and larger rebates.

Proposal

First, the Exchange proposes to amend Section 1)a)i) of the Fee Schedule to amend the Simple Maker rebates in Tiers 1, 2 and 3 for options transactions in Penny Classes for executed Priority Customer Origin orders. Currently, the Exchange provides a Simple Maker rebate of ($0.43) per contract for options transactions in most Penny Classes (excluding SPY, QQQ, and IWM) for executed Priority Customer Origin orders in Tiers 1, 2 and 3 per the rate table. The Exchange also provides a higher Simple Maker rebate of ($0.45) per contract for options transactions in Penny Classes for SPY, QQQ and IWM, which is noted by the symbol ''∇'' following the tables of rebates and fees in Section 1)a)i) of the Fee Schedule.

The Exchange now proposes to amend symbol ''∇'' to modify the Simple Maker rebate for all options in Penny Classes for executed Priority Customer Origin orders in Tiers 1, 2 and 3 depending on whether the contra is an Affiliated Market Maker.[11] In particular, the Exchange proposes to provide a lower Simple Maker rebate of ($0.37) per contract for options in all Penny Classes for executed Priority Customer Origin orders in Tiers 1, 2 and 3 when the contra is an Affiliated Market Maker. To show the difference in rebates depending on whether the contra is an Affiliated Market Maker, the Exchange proposes to amend the text in symbol ''∇'' to now read as follows: ''The Simple Maker rebate in SPY, QQQ and IWM is ($0.45) for Priority Customer Origin in Tiers 1, 2 and 3 when the contra is not an Affiliated Market Maker. The Simple Maker rebate in all Penny Classes is ($0.37) for Priority Customer Origin in Tiers 1, 2 and 3 when the contra is an Affiliated Market Maker.'' In summary, with the proposed changes, Priority Customer Origin orders in Tiers 1, 2 and 3 will receive (a) the current ($0.43) per contract rebate for most Penny Classes (excluding SPY, QQQ, and IWM classes)

[3] ''Priority Customer'' means a person or entity that (i) is not a broker or dealer in securities, and (ii) does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s). *See* Exchange Rule 100, including Interpretation and Policy .01.

[4] ''Member'' means an individual or organization approved to exercise the trading rights associated with a Trading Permit. Members are deemed ''members'' under the Exchange Act. *See* the Definitions Section of the Fee Schedule and Exchange Rule 100.

[5] ''Affiliate'' means (i) an affiliate of a Member of at least 75% common ownership between the firms as reflected on each firm's Form BD, Schedule A, or (ii) the Appointed Market Maker of an Appointed EEM (or, conversely, the Appointed EEM of an Appointed Market Maker). An ''Appointed Market Maker'' is a MIAX Emerald Market Maker (who does not otherwise have a corporate affiliation based upon common ownership with an EEM) that has been appointed by an EEM and an ''Appointed EEM'' is an EEM (who does not otherwise have a corporate affiliation based upon common ownership with a MIAX Emerald Market Maker) that has been appointed by a MIAX Emerald Market Maker, pursuant to the following process. A MIAX Emerald Market Maker appoints an EEM and an EEM appoints a MIAX Emerald Market Maker, for the purposes of the Fee Schedule, by each completing and sending an executed Volume Aggregation Request Form by email to *membership@miaxoptions.com* no later than 2 business days prior to the first business day of the month in which the designation is to become effective. Transmittal of a validly completed and executed form to the Exchange along with the Exchange's acknowledgement of the effective designation to each of the Market Maker and EEM will be viewed as acceptance of the appointment. The Exchange will only recognize one designation per Member. A Member may make a designation not more than once every 12 months (from the date of its most recent designation), which designation shall remain in effect unless or until the Exchange receives written notice submitted 2 business days prior to the first business day of the month from either Member indicating that the appointment has been terminated. Designations will become operative on the first business day of the effective month and may not be terminated prior to the end of the month. Execution data and reports will be provided to both parties. *See* the Definitions Section of the Fee Schedule.

[6] The term ''Excluded Contracts'' means any contracts routed to an away market for execution. *See* the Definitions Section of the Fee Schedule.

[7] The term ''Exchange System Disruption'' means an outage of a Matching Engine or collective Matching Engines for a period of two consecutive hour or more, during trading hours. *See* the Definitions Section of the Fee Schedule.

[8] A ''Matching Engine'' is a part of the MIAX Emerald electronic system that processes options orders and trades on a symbol-by-symbol basis. *See* the Definitions Section of the Fee Schedule.

[9] For a Priority Customer complex order taking liquidity in both a Penny Class and non-Penny Class against Origins other than Priority Customer, the Priority Customer order will receive a rebate based on the Tier achieved.

[10] *See* Securities Exchange Act Release No. 88993 (June 2, 2020), 85 FR 35145 (June 8, 2020) (SR–EMERALD–2020–05) (Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Exchange Rule 510, Minimum Price Variations and Minimum Trading Increments, To Conform the Rule to Section 3.1 of the Plan for the Purpose of Developing and Implementing Procedures Designed To Facilitate the Listing and Trading of Standardized Options) (the ''Penny Program'').

[11] The term ''Market Maker'' refers to ''Lead Market Maker'' (''LMM''), ''Primary Lead Market Maker'' (''PLMM'') and ''Registered Market Maker'' (''RMM''), collectively. *See* the Definitions Section of the Fee Schedule and Exchange Rule 100.

when the contra is not an Affiliated Market Maker; (b) will continue to receive the current ($0.45) per contract rebate for SPY, QQQ, and IWM classes when the contra is not an affiliated Market Maker; and (c) will receive the ($0.37) per contract rebate in all Penny Classes when the contra is an affiliated Market Maker.

Next, the Exchange proposes to amend Section 1)a)i) of the Fee Schedule to amend the Simple Maker rebate in Tier 4 for options transactions in Penny Classes for executed Priority Customer Origin orders. Currently, the Exchange provides a Simple Maker rebate of ($0.53) for executed Priority Customer Origin orders in Tier 4 in options in Penny Classes if the contra is not an Affiliated Market Maker. If the contra is an Affiliated Market Maker, the Exchange provides a lower Simple Maker rebate of ($0.43) for executed Priority Customer Origin orders in Tier 4 in options in Penny Classes.[12] Both the lower Simple Maker rebate of ($0.43) and the rate table rebate of ($0.53) depending on whether the contra is or is not an Affiliated Market Maker for executed Priority Customer Origin orders in Tier 4 in Penny Classes is denoted by the symbol ''□'' following the table of fees and rebates in Section 1)a)i) of the Fee Schedule.

The Exchange now proposes to lower the Simple Maker rebate in Tier 4 for options transactions in Penny Classes for executed Priority Customer orders when the contra is an Affiliated Market Maker. Specifically, the Exchange proposes to lower the Simple Maker rebate for executed Priority Customer orders in options in Penny Classes in Tier 4 from ($0.43) to ($0.37) when the contra is an Affiliated Market Maker. To be clear, executed Priority Customer Origin order in options in Penny Classes in Tier 4 will continue to receive the current ($0.53) per contract rebate when the contra is not an Affiliated Market Maker. The proposed change would be reflected in current footnote ''□'' for Penny Classes. Accordingly, the Exchange proposes to update footnote ''□'' to now read: ''This Maker rebate is for executed Priority Customer Simple Orders when the contra is not an Affiliated Market Maker. When the contra is an Affiliated Market Maker, this Maker rebate for executed Priority Customer Simple Orders will be ($0.37).''

The purpose of adjusting the specified Simple Maker rebate is for business and competitive reasons. In order to attract order flow, the Exchange initially set its Maker rebates and Taker fees so that they were meaningfully higher/lower than other options exchanges that operate comparable maker/taker pricing models.[13] The Exchange now believes that it is appropriate to further adjust these specified Maker rebates so that they are more in line with other exchanges, but will still remain highly competitive such that they should enable the Exchange to continue to attract order flow and maintain market share.[14]

Implementation

The proposed changes are immediately effective.

2. Statutory Basis

The Exchange believes that its proposal to amend its Fee Schedule is consistent with Section 6(b) of the Act [15] in general, and furthers the objectives of Section 6(b)(4) of the Act,[16] in that it is an equitable allocation of reasonable dues, fees and other charges among Exchange members and issuers and other persons using its facilities, and 6(b)(5) of the Act,[17] in that it is designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in facilitating transactions in securities, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, protect investors and the public interest.

The Commission has repeatedly expressed its preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system ''has been remarkably successful in promoting market competition in its broader forms that are most important to investors and listed companies.'' [18]

There are currently 16 registered options exchanges competing for order flow. Based on publicly-available information, and excluding index-based options, no single exchange has a market share of more than approximately 13–14% of the equity options market.[19] Therefore, no exchange possesses significant pricing power. More specifically, as of May 17, 2022, the Exchange had a market share of approximately 3.68% of executed volume of multiply-listed equity options for the month of May 2022.[20]

The Exchange believes that the ever-shifting market share among the exchanges from month to month demonstrates that market participants can discontinue or reduce use of certain categories of products and services, terminate an existing membership or determine to not become a new member, and/or shift order flow, in response to transaction fee changes. For example, on February 28, 2019, the Exchange's affiliate, MIAX PEARL, LLC (''MIAX Pearl''), filed with the Commission a proposal to increase Taker fees in certain Tiers for options transactions in certain Penny classes for Priority Customers and decrease Maker rebates in certain Tiers for options transactions in Penny classes for Priority Customers (which fee was to be effective March 1, 2019).[21] MIAX Pearl experienced a decrease in total market share for the month of March 2019, after the proposal went into effect. Accordingly, the Exchange believes that the MIAX Pearl March 1, 2019 fee change, to increase certain transaction fees and decrease certain transaction rebates, may have contributed to the decrease in MIAX Pearl's market share and, as such, the Exchange believes competitive forces constrain the Exchange's, and other options exchanges, ability to set transaction fees and market participants can shift order flow based on fee changes instituted by the exchanges.

The Exchange believes its proposal to amend the Simple Maker rebates for options transactions in Penny Classes for Priority Customers is reasonable,

[12] *See* Fee Schedule, Section 1)a)i), note ''□''. *See* Securities Exchange Act Release Nos. 94406 (March 14, 2022), 87 FR 15460 (March 18, 2022) (SR–EMERALD–2022–10) (lowering Simple Maker rebate in Tier 4 for options transactions in Penny Classes for executed Priority Customer orders when the contra is an Affiliated Market Maker from ($0.49) to ($0.43) *and* 89927 (September 21, 2020), 85 FR 60498 (September 25, 2020) (SR–EMERALD–2020–07) (establishing lower Priority Customer Tier 4 Simple Maker rebates in Penny Classes when the contra is an Affiliated Market Maker).

[13] *See* Securities Exchange Act Release No. 85393 (March 21, 2019), 84 FR 11599 (March 27, 2019) (SR–EMERALD–2019–15).

[14] *See* Cboe BZX Options Exchange Fee Schedule, under ''Transaction Fees'' (providing Customer rebates for Penny Program Securities ranging from $0.25 to $0.53); *see also* Nasdaq Stock Market, Options 7, Pricing Schedule, Section 2 Nasdaq Options Market—Fees and Rebates, note 2 (providing lower rates when the Participant is both the buyer and seller).

[15] 15 U.S.C. 78f(b).

[16] 15 U.S.C. 78f(b)(4).

[17] 15 U.S.C. 78f(b)(1) and (b)(5).

[18] *See* Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005).

[19] *See* ''The Market at a Glance,'' (last visited May 17, 2022), *available at https://www.miaxoptions.com/.*

[20] *See id.*

[21] *See* Securities Exchange Act Release No. 85304 (March 13, 2019), 84 FR 10144 (March 19, 2019) (SR–PEARL–2019–07).

equitable and not unfairly discriminatory because all similarly situated market participants in the same Origin type are subject to the same tiered Maker rebates and Taker fees. The Exchange believes it is equitable and not unfairly discriminatory to reduce the Simple Maker rebates for Priority Customer orders in Penny Classes when the contra is an Affiliated Market Maker for business and competitive reasons because the Exchange initially set its Simple Maker rebates for such orders higher than certain other options exchanges that operate comparable maker/taker pricing models.[22] The Exchange now believes that it is appropriate to further decrease the specified Simple Maker rebates so that they are more in line with other exchanges, but will remain highly competitive such that they should enable the Exchange to continue to attract order flow and maintain market share.[23]

The Exchange believes that it is equitable and not unfairly discriminatory to continue to provide higher rebates for Priority Customer orders (even with the proposed changes) than to orders from origin types that are not Priority Customer. A Priority Customer is by definition not a broker or dealer in securities, and does not place more than 390 orders in listed options per day on average during a calendar month for its own beneficial account(s).[24] This limitation does not apply to participants on the Exchange whose behavior is substantially similar to that of market professionals, including orders from Non-MIAX Emerald Market Makers, Firm Proprietary/Broker-Dealer Origins, and Non-Priority Customers, who will generally submit a higher number of orders (many of which do not result in executions) than Priority Customers. Furthermore, the Exchange believes that even with the proposed changes, the rebates for Priority Customers will continue to encourage Members to send Priority Customer orders to the Exchange, which benefits all Exchange participants by providing more trading opportunities and tighter spreads.

The Exchange believes it is reasonable and equitable to reduce the Simple Maker rebates for Priority Customer orders in Penny Classes when the contra is an Affiliated Market Maker (versus when the contra is not an Affiliated Market Maker) because the Exchange already offers certain potential fee benefits to Members and their Affiliates from their aggregated volume. For example, pursuant to Section 1)a)ii) of the Fee Schedule, the Tier applied for a Member and its Affiliates' Priority Customer Origin is solely determined by Method 3 (Priority Customer Maker volume). However, the Market Maker Origin receives the highest Tier based on any of the three application methods, including based on Tier achieved by their Affiliated Priority Customer Maker order flow. Thus, for example, if a Market Maker and its Affiliates naturally achieved Tier 1 from Market Maker Volume, the Exchange will also look at their Priority Customer order flow and if that Priority Customer order flow achieved higher Tiers (*i.e.,* Tier 4), the Market Maker and its Affiliates will receive the benefit of the Tier 4 rates based on their Priority Customer order flow. The Exchange also believes it is equitable and not unfairly discriminatory to continue to provide different rebates depending on whether the contra is or is not an Affiliated Market Maker for executed Priority Customer Origin orders because competing exchanges also provide different rates depending on whether the executing buyer and seller are affiliated.[25] Further, the Exchange's affiliate, Miami International Securities Exchange, LLC (''MIAX''), provides a similar pricing structure for certain complex order transactions for MIAX Members and their Affiliates that aggregate their order flow.[26] Accordingly, the Exchange believes it is reasonable, equitable, and not unfairly discriminatory to provide a lower rebate for certain Priority Customer Origin orders when the executing buyer and seller are the same Member or Affiliates.

Furthermore, the proposed decrease to the Simple Maker rebates for Priority Customers when the contra is an Affiliated Market Maker promotes just and equitable principles of trade, fosters cooperation and coordination with persons engaged in facilitating transactions in securities, and protects investors and the public interest, because even with the decrease, the Exchange's proposed Simple Maker rebates for such orders still remain highly competitive with certain other options exchanges offering comparable pricing models, and should enable the Exchange to continue to attract order flow and maintain market share.[27] The Exchange believes that the amount of such rebates, with the proposed decrease, will continue to encourage those market participants to send Priority Customer orders to the Exchange.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule changes will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

Intra-Market Competition

The Exchange believes that the proposed changes to the specified Simple Maker rebates for the applicable market participants should continue to encourage the provision of liquidity that enhances the quality of the Exchange's market and increases the number of trading opportunities on the Exchange for all participants who will be able to compete for such opportunities. The proposed rule change should enable the Exchange to continue to attract and compete for Priority Customer order flow with other exchanges. The Exchange believes that even with the proposed changes, the rebates for Priority Customers will continue to encourage Members to send Priority Customer orders to the Exchange, which benefits all Exchange participants by providing more trading opportunities and tighter spreads. However, this competition does not create an undue burden on competition but rather offers all market participants the opportunity to receive the benefit of competitive pricing.

The Exchange believes that the pricing structure to provide different rebates depending on whether the contra is or is not an Affiliated Market Maker for executed Priority Customer Origin orders will not impose any undue burden on intra-market competition because the different rates apply equally to all Members that aggregate their order flow on the Exchange. Further, this pricing structure is not new or novel and has been in place at the Exchange, its affiliate, MIAX, and competing exchanges for years.[28]

Inter-Market Competition

The Exchange operates in a highly competitive market in which market participants can readily favor competing venues if they deem fee levels at a particular venue to be excessive. There are currently 16 registered options exchanges competing for order flow.

[22] *See supra* note 13.

[23] *See supra* note 14.

[24] *See supra* note 3.

[25] *See, e.g.,* Nasdaq Stock Market, Options 7, Pricing Schedule, Section 2 Nasdaq Options Market—Fees and Rebates, note 2 (providing lower rates when the Participant is both the buyer and seller).

[26] *See* MIAX Fee Schedule, Section 1)a)iii), notes ''◈'' and ''■''.

[27] *See supra* note 14.

[28] *See supra* notes 12, 25 and 26.

Based on publicly-available information, and excluding index-based options, no single exchange has a market share of more than approximately 13–14% of the equity options market.[29] Therefore, no exchange possesses significant pricing power. More specifically, as of May 17, 2022, the Exchange had a market share of approximately 3.68% of executed volume of multiply-listed equity options for the month of May 2022.[30] Therefore, no exchange possesses significant pricing power in the execution of multiply-listed equity options order flow. In such an environment, the Exchange must continually adjust its transaction and non-transaction fees to remain competitive with other exchanges and to attract order flow. The Exchange believes that the proposed rule changes reflect this competitive environment because it modifies the Exchange's rebates in a manner that will allow the Exchange to remain competitive.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,[31] and Rule 19b–4(f)(2) [32] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–EMERALD–2022–21 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–EMERALD–2022–21. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–EMERALD–2022–21, and should be submitted on or before June 27, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[33]

J. Matthew DeLesDernier,

Assistant Secretary.

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[29] *See supra* note 19.

[30] *See id.*

[31] 15 U.S.C. 78s(b)(3)(A)(ii).

[32] 17 CFR 240.19b–4(f)(2).

[33] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–95012; File No. SR–DTC–2022–002]

Self-Regulatory Organizations; The Depository Trust Company; Order Approving the Proposed Rule Change To Provide Settlement Services for Transactions Entered Into Under the Proposed Securities Financing Transaction Clearing Service of the National Securities Clearing Corporation

May 31, 2022.

I. Introduction

On March 28, 2022, The Depository Trust Company (''DTC'') filed with the Securities and Exchange Commission (''Commission'') proposed rule change SR–DTC–2022–002 (''Proposed Rule Change'') pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder.[2] The Proposed Rule Change was published for comment in the **Federal Register** on April 18, 2022.[3] For the reasons discussed below, the Commission is approving the Proposed Rule Change.[4]

II. Description of the Proposed Rule Change

A. Background

DTC serves as a central securities depository providing, in part, custodial services for equity securities, which include the safekeeping, record keeping, book-entry transfer, and pledge of securities among its Participants.[5] The National Securities Clearing Corporation (''NSCC'') provides clearing and settlement services for trades, including equity securities.[6] NSCC relies on an

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 94692 (April 12, 2022), 87 FR 22971 (April 18, 2022) (SR–DTC–2022–002) (''Notice of Filing'').

[4] Each capitalized term not otherwise defined herein has its respective meaning as set forth in DTC's rules, including, but not limited to, the Rules, By-Laws and Organization Certificate of DTC (''Rules''), the DTC Settlement Service Guide (''Settlement Guide''), and the Guide to the 2020 DTC Fee Schedule (''Fee Guide''), *available at http://www.dtcc.com/legal/rules-and-procedures.aspx.*

[5] *See* The Depository Trust Company, Disclosure Framework for Covered Clearing Agencies and Financial Market Infrastructures at 7, 9–10 (December 2021) *available at https://www.dtcc.com/-/media/Files/Downloads/legal/policy-and-compliance/DTC_Disclosure_Framework.pdf.*

[6] *See* National Securities Clearing Corporation, Disclosure Framework for Covered Clearing Agencies and Financial Market Infrastructures at 7–10 (December 2021), *available at https://*

Continued

interface with DTC for the book-entry movement of securities to settle transactions.[7]

NSCC has proposed to introduce a new central clearing for securities financing transactions (''SFTs'').[8] In general, SFTs involve transactions where the parties exchange equity securities against cash and simultaneously agree to exchange the same securities and cash, plus or minus a daily interest (referred to as a rate payment), on a future date. Through its central clearing service, NSCC would novate SFT transactions entered into by its Members. The proposed SFTs between counterparties that are Members of NSCC would be settled through their respective Participant accounts at DTC.

In order to settle SFTs arising from NSCC's proposed service, DTC proposes to amend the Rules, the Settlement Guide, and the Fee Guide to (i) establish new definitions, instructions, and accounts, (ii) apply a modified look-ahead process to the new account that NSCC would maintain at DTC, (iii) establish a fee for a new transaction, and (iv) make conforming and technical changes.

B. New Definitions, Instructions, and Accounts for the SFT Service

DTC proposes to revise its Rules, Settlement Guide, and Fee Guide to add new definitions, instructions, and accounts to provide for the settlement of SFTs. Specifically, for SFT purposes, NSCC would act as the special representative for DTC Participants who are also NSCC Members and would have the authority to instruct DTC, on behalf of the Participant, to make a transfer of securities from the Participant's DTC account to an account that NSCC maintains at DTC.[9]

The proposal would revise the Settlement Guide to include a new section describing settlement of SFTs. To effectuate a DVP transaction between Participants, NSCC would send DTC a pair of DVP instructions: (i) one instruction, as the Special Representative of the securities lending Participant, to deliver the subject securities versus payment from the delivering Participant to the NSCC SFT Account, and (ii) one instruction, on NSCC's own behalf, to deliver the subject securities versus payment from the NSCC SFT Account to the Account of the securities borrowing Participant.[10] Effectively, pursuant to the DVPs, the subject securities would move from the security lending Participant to NSCC, and then from NSCC to the security borrowing Participant.

When an SFT completes, NSCC would again submit a pair of DVP instructions: (i) one instruction as the special representative of the security borrowing Participant to deliver the subject securities to the special representative SFT account, and (ii) one instruction on NSCC's own behalf to deliver the subject securities from the special representative SFT. If the pair of instructions satisfy DTC risk management controls and the modified look-ahead process,[11] DTC would process the deliveries.

The proposal would also provide that DTC would process SFT price differential payment orders, which are payment orders for the crediting and debiting of payment amounts between Participants relating to SFT activity at NSCC. Specifically, NSCC would be able to submit a SFT price differential payment order (i) as the special representative of the payee Participant to credit the amount to the payee Participant account, and (ii) as the special representative of the payor Participant to debit the amount to the payor Participant account. The two instructions would effectively cause DTC to transfer the payment orders from one Participant to NSCC, and from NSCC to another Participant. If the pair of instructions satisfy DTC risk management controls and the modified look-ahead, DTC would process the payments.[12]

C. Modified Look-Ahead Processing

DTC uses certain risk management controls, the Collateral Monitor and Net Debit Cap, to manage its credit risk. These two controls work together to protect the DTC settlement system in the event of a Participant default. The Collateral Monitor requires net debit settlement obligations, as they accrue intraday, to be fully collateralized; the Net Debit Cap limits the amount of any Participant's net debit settlement obligation to an amount that can be satisfied with DTC liquidity resources.[13] DTC uses a look-ahead processing to reduce transaction blockage by applying the net amount of offsetting receive and deliver transactions in the same security rather than the gross amount of the receive transaction to a Participant's Net Debit Cap. The look-ahead process calculates and processes submitted transactions in the same CUSIP that, when processed simultaneously, would not violate the risk management controls of the involved Participants.[14]

The special representative SFT account is designed to be a pass-through account for SFTs between Participants that are NSCC SFT counterparties, and accordingly, NSCC's obligations to DTC with respect to all SFTs to which the special representative SFT account was a party should be netted to zero.[15] DTC states that in an effort to help ensure that there would not be any net settlement obligation against the special representative SFT account, and to prevent transaction blockage due to risk management controls on the special representative SFT account, DTC proposes to use a modified look-ahead process for the instructions it receives from NSCC in connection with the Special Representative SFT Account.[16]

Pursuant to the proposal, upon receipt of SFT-related instructions from NSCC, DTC would only complete a transaction when (i) the pair of instructions from NSCC are consistent in terms of the number of subject shares and/or dollar amount, CUSIP, and DTCC Reference ID,[17] and (ii) the net effect of processing the instructions would not violate the respective Net Debit Caps, Collateral Monitor or other risk management system controls of the Participants that are on each side of the SFTs.

In addition, because the modified look-ahead relies on the completion of

www.dtcc.com/-/media/Files/Downloads/legal/policy-and-compliance/NSCC_Disclosure_Framework.pdf.

[7] *Id.* at 10.

[8] Securities Exchange Act Release No. 94694 (April 12, 2022), 87 FR 23372 (April 19, 2022) (SR–NSCC–2022–003). NSCC also filed the proposal contained in the Proposed Rule Change as advance notice SR–NSCC–2022–801 with the Commission pursuant to Section 806(e)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010. 12 U.S.C. 5465(e)(1); 17 CFR 240.19b–4(n)(1)(i). Securities Exchange Act Release No. 94695 (April 12, 2022), 87 FR 23328 (April 19, 2022) (SR–NSCC–2022–801).

[9] The proposal would also establish a new special representative SFT account to be used in connection with SFT service.

[10] Under the proposal, it is possible that the securities lending Participant could submit its own DVP instruction to deliver the subject securities to the NSCC SFT account. NSCC would then have to make the corresponding instruction to deliver the securities to the securities borrowing participant, or the trade would be rejected.

[11] *See* Section II.C and text accompanying note 13 *infra.*

[12] *See* Section II.C and text accompanying note 13 *infra.*

[13] *See* Settlement Guide, *supra* note 4, at 64–67.

[14] Specifically, the look-ahead process identifies a receive transaction pending due to a net debit cap insufficiency and determines whether an offsetting delivery transaction pending because of a quantity deficiency in the same security would permit both transactions to be completed in compliance with DTC risk management controls. *See* Settlement Guide, *supra* note 4, at 45.

[15] *See* Notice of Filing, *supra* note 3, at 22973.

[16] *See id.*

[17] The DTCC Reference ID is the fourteen-digit UTC Loan ID that NSCC assigns to each SFT transaction.

offsetting transactions for a particular SFT and not a net amount like regular look-ahead processing, transactions to and from the NSCC SFT Account would not be subject to either reclaims or Receiver Authorized Delivery (''RAD'').[18] DTC represents that because both reclaims and RAD effectively permit one side of the transaction to reject or reverse the transaction, allowing such activity would interfere with the ability of the modified look-ahead to rely on the completion of the offsetting transactions.[19]

D. SFT Price Differential Fee

DTC proposes to amend the Fee Guide to establish a fee for SFT price differential payment orders.[20] DTC proposes a fee of $0.005 for an SFT price differential payment order, which would be charged to payors and payees per item delivered or received.

According to DTC, the fee is lower than the $0.10 fee charged for an order for delivery or receipt in connection with uncleared stock loan transactions.[21] DTC states that the reason for a lower fee is because NSCC's SFT service would require a higher volume of payment orders compared to stock loan transactions processed bilaterally.[22] DTC believes that NSCC's SFT service would require a higher volume of payment orders because SFT Counterparties would pay and collect price differentials at the individual transaction level, while in a bilateral transaction, the counterparties would typically pay and collect at the CUSIP level, inclusive of all open stock loan transactions of a given counterparty.[23]

E. Conforming and Technical Changes

DTC proposes to make conforming changes to reflect the SFT activities, correct technical errors, add headings, and replace undefined terms with defined terms in order to ensure consistency and clarity of the Rules and the Settlement Guide.

[18] A reclaim is the return of various orders and transactions received by a Participant. RAD is a control mechanism that allows a Participant to review transactions prior to completion of processing. *See* Settlement Guide, *supra* note 4, at 6.

[19] *See* Notice of Filing, *supra* note 3, at 22973.

[20] The proposal establishes a fee for SFT Price Differential payment orders because DTC does not currently process such payment orders. DTC would apply other currently existing fees that are relevant to SFTs pursuant to its Fee Guide. For example, for a DVP transaction in connection with an SFT, DTC would charge a stock loan and return fee of $0.18 to payors and payees per item delivered and received.

[21] *See* Notice of Filing, *supra* note 3, at 22973.

[22] *Id.*

[23] *See* Notice of Filing, *supra* note 3, at 22973.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act [24] directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization. After careful consideration, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and the rules and regulations applicable to DTC. In particular, the Commission finds that the Proposed Rule Change is consistent with Section 17A(b)(3)(F) and 17A(b)(3)(D) of the Act [25] and Rules 17Ad–22(e)(21) [26] thereunder.

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act [27] requires, in part, that the rules of a clearing agency, such as DTC, be designed to promote the prompt and accurate clearance and settlement of securities transactions and to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

As described above in Section II.A., DTC proposes to revise its Rules, Settlement Guide, and Fee Guide to be able to provide Participants with settlement services for SFTs cleared through the proposed NSCC service. As stated in Section II.B., the proposal would provide new definitions, instructions, and accounts to effectuate SFTs, and provide a basis for DTC to accept and rely on NSCC's instructions in connections with the proposed SFT service. Specifically, DTC would amend its Rules to provide for the additional authority of NSCC, as the special representative of a Participant, to submit DVP instructions and SFT price differential payment orders to DTC, on behalf of Participants. By providing NSCC with the authority to submit these instructions on behalf of the Participants, the Proposed Rule Change supports the efficient settlement of cleared SFTs, thereby promoting the prompt and accurate clearance and settlement of securities transactions.

Furthermore, as described in Section II.C., the Proposed Rule Change would apply a modified look-ahead process to the new special representative SFT account in order to (i) ensure that there would not be any net settlement obligation against the special representative SFT account, and (ii) prevent transaction blockage that could occur from unsatisfied risk management controls on the special representative SFT account. By applying a modified look-ahead, the Commission believes that the proposal is designed to promote efficient processing of SFTs, thereby promoting the prompt and accurate clearance and settlement of securities transactions.

Lastly, as described in Section II.E., DTC proposes to make conforming and technical changes. The Commission believes that the changes would help ensure that the Rules and the Settlement Guide remain consistent, clear, and accurate. Having consistent, clear, and accurate Rules and Settlement Guide would help Participants to better understand their rights and obligations regarding DTC settlement services in connection with the NSCC SFT service. The Commission believes that better enabling Participants to understand and thus comply with the Rules and the Settlement Guide would promote the prompt and accurate clearance and settlement of securities transactions.

The Commission further believes that the Proposed Rule Change is reasonably designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. As described above in Section II.A., DTC proposes to amend its Rules, Settlement Guide, and Fee Guide to be able to process SFTs arising from NSCC's proposed SFT service. Although NSCC provides clearing and settlement services for transactions, it relies on an interface with DTC for the book-entry movement of securities to settle transactions. Without DTC's actions, NSCC would not be able to settle SFTs at DTC. Accordingly, the Commission believes that establishing new definitions, instructions, and accounts to effectuate SFTs, modifying look-ahead processing, and making conforming and technical changes would foster cooperation and coordination between NSCC and DTC.

For the reasons stated above, the Commission believes that the Proposed Rule Change is reasonably designed to promote the prompt and accurate clearance and settlement of securities transactions, and foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. The Commission believes, therefore, that the Proposed Rule Change is consistent with Section 17A(b)(3)(F) of the Act.[28]

[24] 15 U.S.C. 78s(b)(2)(C).

[25] 15 U.S.C. 78q–1(b)(3)(F) and (3)(D).

[26] 17 CFR 240.17Ad–22(e)(21).

[27] 15 U.S.C. 78q–1(b)(3)(F).

[28] *Id.*

B. Consistency With Section 17A(b)(3)(D) of the Act

Section 17A(b)(3)(D) of the Act requires that the rules of a clearing agency provide for the equitable allocation of reasonable dues, fees, and other charges among its participants.[29]

As described above in Section II.D., DTC would establish a fee of $0.005 per item delivered or received, which would be charged to the payor and the payee of an SFT price differential payment order. The Commission believes that the proposed fee for SFT price differential payment orders would provide for the equitable allocation of reasonable dues, fees, and other charges among Participants. First, the proposed fee of $0.005 is less than the $0.10 fee for payment order applicable for uncleared bilateral stock loan transactions.[30] Second, the Commission understands that due to the lack of history for cleared SFT activity,[31] DTC cannot estimate at this time the average number of SFT Price Differential payment orders that would be processed and cannot, therefore, quantify a precise fee.[32] Accordingly, the Commission believes that the proposed fee, which is designed to take into account the imbalance between the amount of payment orders that would be required for cleared SFTs and the amount required for uncleared bilateral stock loan transactions, is reasonable. The Commission also believes that the proposed fee would be equitably allocated because the fee would be charged to payors and payees per item delivered or received in accordance with their use of SFT price differential payment orders and all such payors and payees would be treated equally with respect to the fee.

Therefore, the Commission believes that the Proposed Rule Change establishing a fee for the delivery and receipt of an SFT price differential payment order is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among participants, consistent with Section 17A(b)(3)(D) of the Act.[33]

C. Consistency With Rule 17Ad–22(e)(21)

Rule 17Ad–22(e)(21) promulgated under the Act requires, in part, a covered clearing agency establish, implement, maintain and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves, including the clearing agency's clearing and settlement arrangements and the scope of products cleared or settled.[34]

As described above in Section II.A., DTC proposes to revise its Rules, Settlement Guide, and Fee Guide to be able to process SFTs arising from NSCC's proposed SFT service. By doing so, DTC would assist NSCC to efficiently and effectively execute its new service, which is to clear and settle a new product. Also, as stated in Section II.B., the proposal would (i) provide a basis for DTC to accept and rely on the instructions from NSCC as special representative of DTC's Participants for SFTs, and (ii) establish a new type of instructions for SFT price differential payment orders. As stated in Section II.C., the proposal would revise the look-ahead processing to accommodate SFTs and ensure that SFTs would be processed timely and efficiently. As stated in Section II.D., the proposal would also revise DTC's fee guide to clearly establish a fee for SFT price differential payment orders, which are new transactions for DTC. Without such changes, NSCC would not be able to clear and settle SFTs at DTC.

For the reasons stated above, the Commission believes that the Proposed Rule Change is reasonably designed to be efficient and effective in meeting the requirements of its participants and the market it serves, and consistent with Rule 17Ad–22(e)(21).[35]

IV. Conclusion

On the basis of the foregoing, the Commission finds that the Proposed Rule Change is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act[36] and the rules and regulations promulgated thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act[37] that Proposed Rule Change SR–DTC–2022–002, be, and hereby is, *approved.*[38]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[39]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12011 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–412, OMB Control No. 3235–0469]

Proposed Collection; Comment Request; Extension: Rule 17Ad–17

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (''PRA'') (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the existing collection of information provided for in Rule 17Ad–17, (17 CFR 240.17Ad–17), under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (''OMB'') for extension and approval.

Rule 17Ad–17 requires certain transfer agents and broker-dealers to make two searches for the correct address of lost securityholders using an information database without charge to the lost securityholders. In addition, paying agents are required to attempt to notify lost payees at least once. In addition, the entities also are required to maintain records relating to the searches and notifications. The Commission staff estimates that the rule applies to approximately 496 broker dealers and transfer agents, and 3,113 paying agent entities, including carrying firms, transfer agents, indenture trustees, custodians, and approximately 10% of issuers. The Commission staff estimates that the total annual burden for searches is approximately 183,813 hours and the total annual burden for paying agent notifications is approximately 38,913 hours. In addition, approximately 5,968 burden hours are associated with recordkeeping, representing an annual burden of 4,411 hours for the broker-dealers and transfer agents, and 1,557 for paying agents. The Commission staff estimates that the aggregate annual burden is therefore approximately

[29] 15 U.S.C. 78q–1(b)(3)(D).

[30] *See* Notice of Filing, *supra* note 3, at 22973.

[31] NSCC would be offering central clearing for overnight SFTs for the first time, and accordingly, NSCC would not be able to anticipate the size and composition of the SFT activities. *See* Securities Exchange Act Release No. 94694 (April 12, 2022), 87 FR 23372, 22375 (April 19, 2022) (SR–NSCC–2022–003).

[32] *See* Notice of Filing, *supra* note 3, at 22973.

[33] 15 U.S.C. 78q–1(b)(3)(D).

[34] 17 CFR 240.17Ad–22(e)(21).

[35] *Id.*

[36] 15 U.S.C. 78q–1.

[37] 15 U.S.C. 78s(b)(2).

[38] In approving the Proposed Rule Change, the Commission considered the proposals' impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[39] 17 CFR 200.30–3(a)(12).

228,694 hours (183,813 + 38,913 + 5,968).

In addition, the Commission staff estimates that covered entities will incur costs of approximately $6,617,298 annually, primarily as payment to third party data base providers that will search for the missing securityholders.

The retention period for the recordkeeping requirement under Rule 17Ad–17 is not less than three years. The recordkeeping requirement under this rule is mandatory to assist the Commission in monitoring compliance with the rule. This rule does not involve the collection of confidential information.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted by August 5, 2022.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information under the PRA unless it displays a currently valid OMB control number.

Please direct your written comments to: David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or send an email to: *PRA_Mailbox@sec.gov.*

Dated: May 31, 2022.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12020 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34603]

Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

May 27, 2022.

AGENCY: Securities and Exchange Commission (''Commission'' or ''SEC'')

ACTION: Notice.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of May 2022. A copy of each application may be obtained via the Commission's website by searching for the applicable file number listed below, or for an applicant using the Company name search field, on the SEC's EDGAR system. The SEC's EDGAR system may be searched at *https://www.sec.gov/edgar/searchedgar/legacy/companysearch.html.* You may also call the SEC's Public Reference Room at (202) 551–8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by emailing the SEC's Secretary at *Secretarys-Office@sec.gov* and serving the relevant applicant with a copy of the request by email, if an email address is listed for the relevant applicant below, or personally or by mail, if a physical address is listed for the relevant applicant below. Hearing requests should be received by the SEC by 5:30 p.m. on June 21, 2022, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0–5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary at *Secretarys-Office@sec.gov.*

ADDRESSES: The Commission: *Secretarys-Office@sec.gov.*

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Assistant Director, at (202) 551–6413 or Chief Counsel's Office at (202) 551–6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE, Washington, DC 20549–8010.

General California Municipal Money Market Fund [File No. 811–04871]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On February 1, 2021, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of $4,271 incurred in connection with the liquidation were paid by the applicant's investment adviser.

Filing Date: The application was filed on April 6, 2022.

Applicant's Address: james.bitetto@bnymellon.com.

General Government Securities Money Market Funds, Inc. [File No. 811–03456]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Dreyfus Treasury Securities Cash Management, and on May 11, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $241,982 incurred in connection with the reorganization were paid by the applicant's investment adviser.

Filing Date: The application was filed on May 10, 2022.

Applicant's Address: james.bitetto@bnymellon.com.

Nuveen California Municipal Value Fund 2 [File No. 811–22272]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen California Municipal Value Fund, and on April 1, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $624,205 incurred in connection with the reorganization were paid by the applicant and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen High Income 2020 Target Term Fund [File No. 811–23051]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On October 30, 2020, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of $980 incurred in connection with the liquidation were paid by the applicant.

Filing Dates: The application was filed on March 25, 2022, and amended on May 17, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen Maryland Quality Municipal Income Fund [File No. 811–07486]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen Quality Municipal Income Fund, and on May 3, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $497,349 incurred in connection with the reorganization were paid by the applicant and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen Michigan Quality Municipal Income Fund [File No. 811–06383]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen AMT-Free Quality Municipal Income Fund, and on March 1, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $818,490 incurred in connection with the reorganization were paid by the applicant and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen Municipal 2021 Target Term Fund [File No. 811–23102]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On February 26, 2021, and March 1, 2021, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of $5,890 incurred in connection with the liquidation were paid by the applicant.

Filing Dates: The application was filed on March 25, 2022, and amended on May 17, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen New Jersey Municipal Value Fund [File No. 811–22274]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen AMT-Free Municipal Value Fund, and on April 1, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $536,317 incurred in connection with the reorganization were paid by the applicant, Nuveen Pennsylvania Municipal Value Fund, and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen New York Municipal Value Fund 2 [File No. 811–22271]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen New York Municipal Value Fund, and on May 3, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $556,207 incurred in connection with the reorganization were paid by the applicant and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Nuveen Pennsylvania Municipal Value Fund [File No. 811–22273]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Nuveen AMT-Free Municipal Value Fund, and on April 1, 2021 made a final distribution to its shareholders based on net asset value. Expenses of $536,317 incurred in connection with the reorganization were paid by the applicant, Nuveen New Jersey Municipal Value Fund, and the acquiring fund.

Filing Date: The application was filed on March 25, 2022.

Applicant's Address: mark.winget@nuveen.com.

Putnam American Government Income Fund [File No. 811–04178]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Putnam Mortgage Securities Fund, and on April 18, 2018 made a final distribution to its shareholders based on net asset value. Expenses of $376,203 incurred in connection with the reorganization were paid by the applicant and the acquiring fund.

Filing Date: The application was filed on April 29, 2022.

Applicant's Address: timothy.cormier@ropesgray.com.

Putnam Global Natural Resources Fund [File No. 811–03061]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Putnam Focused Equity Fund, and on June 19, 2019 made a final distribution to its shareholders based on net asset value. Expenses of $298,621 incurred in connection with the reorganization were paid by the applicant and the applicant's investment adviser.

Filing Date: The application was filed on April 29, 2022.

Applicant's Address: timothy.cormier@ropesgray.com.

Putnam Global Utilities Fund [File No. 811–05989]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Putnam Focused International Equity Fund, and on June 12, 2019 made a final distribution to its shareholders based on net asset value. Expenses of $628,990 incurred in connection with the reorganization were paid by the applicant and the applicant's investment adviser, and the acquiring fund.

Filing Date: The application was filed on April 29, 2022.

Applicant's Address: timothy.cormier@ropesgray.com.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–11870 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–604, OMB Control No. 3235–0657]

Submission for OMB Review; Comment Request; Extension: Form N–MFP and Rule 30b1–7

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget (''OMB'') a request for extension of the previously approved collection of information discussed below.

Section 30(b) of the Investment Company Act of 1940 (''Investment Company Act'')[1] provides that ''[e]very registered investment company shall file with the Commission . . . such information, documents, and reports (other than financial statements), as the Commission may require to keep reasonably current the information and documents contained in the registration statement of such company. . . .''[2] Rule 30b1–7 under the Investment Company Act, entitled ''Monthly Report for Money Market Funds,'' provides that every registered investment company, or

[1] 15 U.S.C. 80a–1 *et seq.*

[2] 15 U.S.C. 80a–29(b).

series thereof, that is regulated as a money market funds under rule 2a–7 [3] must file with the Commission a monthly report of portfolio holdings on Form N–MFP [4] no later than the fifth business day of each month.[5] Form N–MFP sets forth the specific disclosure items that money market funds must provide. Filers must submit this report electronically using the Commission's electronic filing system (''EDGAR'') in Extensible Markup Language (''XML'').

Compliance with rule 30b1–7 is mandatory for any fund that holds itself out as a money market fund in reliance on rule 2a–7. Responses to the disclosure requirements will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The following estimates of average burden hours and costs are made solely for purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even representative survey or study of the cost of Commission rules and forms.

The Commission calculates there are currently 353 [6] money market funds that report information on Form N–MFP, with approximately 8 [7] of them being new money market funds that are filing reports on Form N–MFP for the first time.

We estimate that 35% of money market funds (or 124 money market funds, broken down into 121 existing funds and 3 new funds) [8] license a software solution and file reports on Form N–MFP in house; we further estimate that each fund that files reports on Form N–MFP in house requires an average of approximately 47 burden hours to compile (including review of the information), tag, and electronically file the Form N–MFP for the first time and an average of approximately 13 burden hours for subsequent filings.[9] Therefore, we estimate the per fund average annual hour burden is 156 hours [10] for existing funds and 190 hours [11] for new money market funds. Based on an estimate of 121 existing funds and 3 new funds each year, we estimate that filing reports on Form N–MFP in house takes 19,446 hours and costs funds, in aggregate, $6,319,950 per year.[12]

We estimate that 65% of money market funds (or 229 money market funds, broken down into 224 existing funds and 5 new funds) [13] retain the services of a third party to provide data aggregation and validation services as part of the preparation and filing of reports on Form N–MFP on the fund's behalf; we further estimate that each fund requires an average of approximately 26 burden hours to compile and review the information with the service provider prior to electronically filing the report for the first time and an average of approximately 9 burden hours for subsequent filings. Therefore, we estimate the per fund average annual hour burden is 108 hours [14] for existing funds and 125 hours [15] for new money market funds. Based on an estimate of 224 existing funds and 5 new funds each year, we estimate that filing reports on Form N–MFP using a service provider takes 24,817 hours and costs funds, in aggregate, $8,065,525 per year.[16] In sum, we estimate that filing reports on Form N–MFP imposes a total annual hour burden of 44,263 hours,[17] at an aggregate cost of $14,385,475 on all money market funds.[18]

Cost burden is the cost of goods and services purchased in connection with complying with the collection of information requirements of rule 30b1–7 and Form N–MFP. The cost burden does not include the cost of the hour burden discussed above.

Based on discussions with industry participants, we estimate that money market funds that file reports on Form N–MFP in house license a third-party software solution to assist in filing their reports at an average cost of $3,900 per

[3] 17 CFR 270.2a–7.

[4] 17 CFR 274.201.

[5] 17 CFR 270.30b1–7.

[6] This calculation is based on staff review of reports on Form N–MFP filed with the Commission for the month ended December 31, 2021 and includes both feeder and non-feeder money market funds.

[7] This estimate is based on staff review of reports on Form N–MFP filed with the Commission for 2019 (16 new funds), 2020 (5 new funds) and 2021 (2 new funds). Averaging those numbers over three years provides an estimate of 8 new funds per year.

[8] The estimate is based on the following calculation: (353 money market funds × 35% = 124 money market funds. Of that amount, we estimate that 2 are new money market funds (8 new money market funds each year × 35% = 2.8 funds, rounded to 3). Therefore, 124 money market funds − 3 new money market funds = 121 existing money market funds.

[9] We understand that the required information is currently maintained by money market funds pursuant to other regulatory requirements or in the ordinary course of business. Accordingly, for the purposes of our analysis, we do not ascribe any time to producing the required information.

[10] This estimate is based on the following calculation: 12 filings per year × 13 burden hours per filing = 156 burden hours per year.

[11] This estimate is based on the following calculation: (First month's initial filing × 47 burden hours) + (11 subsequent month filings × 13 burden hours per filing) = 190 burden hours per year.

[12] These estimates are based on the following calculations: existing funds: (156 hours × blended hourly rate of $325 for a financial reporting manager ($318 per hour), senior accountant ($327 per hour), senior database administrator ($373 per hour), senior portfolio manager ($360 per hour) and compliance manager ($339 per hour)) = $50,700. The blended hourly rate was calculated as ($318 + $237 + $373 + $360 + $339/5 = $325. There are 121 existing money market funds who use in house solutions × 156 hours with an internal time cost of $50,700 per fund = 18,876 hours with an internal time cost of $6,134,700.

New money market funds: (190 hours × blended hourly rate of $325 for a financial reporting manager ($318 per hour), senior accountant ($237 per hour), senior database administrator ($373 per hour), senior portfolio manager ($360 per hour) and compliance manager ($339 per hour)) = $61,750. The blended hourly rate was calculated as ($318 + $237 + $373 + $360 + $339/5 = $325. Three new money market funds × 190 hours with an internal time cost of $61,750 per fund = 570 hours with an internal time cost of $185,250.

Aggregate annual hourly burden for all funds filing reports on Form N–MFP in house: 18,876 hours + 570 hours = 19,446 hours.

Aggregate annual costs for all funds filing reports on Form N–MFP in house: $6,134,700 + $185,250 = $6,319,950.

[13] The estimate is based on the following calculation: (353 money market funds × 65% = 229 money market funds. Of that amount, we estimate that 5 are new money market funds (8 new money market funds each year × 65% = 5.2 funds, rounded to 5). Therefore, 229 money market funds − 5 new money market funds = 224 existing money market funds.

[14] This estimate is based on the following calculation: 12 filings per year × 9 burden hours per filing = 108 burden hours per year.

[15] This estimate is based on the following calculation: (First month's initial filing × 26 burden hours) + (11 subsequent month filings × 9 burden hours per filing) = 125 burden hours per year.

[16] These estimates are based on the following calculations: Existing funds: (108 hours × blended hourly rate of $325 for a financial reporting manager ($318 per hour), senior accountant ($237 per hour), senior database administrator ($373 per hour), senior portfolio manager ($360 per hour) and compliance manager ($339 per hour)) = $35,100. The blended hourly rate was calculated as ($318 + $237 + $373 + $360 + $339/5 = $325. There are 224 existing money market funds who use a third-party service provider × 148 hours with an internal time cost of $35,100 per fund = 24,192 hours with an internal time cost of $7,862,400.

New money market funds: (125 hours × blended hourly rate of $325 for a financial reporting manager ($318 per hour), senior accountant ($237 per hour), senior database administrator ($373 per hour), senior portfolio manager ($360 per hour) and compliance manager ($339 per hour)) = $40,625. The blended hourly rate was calculated as ($318 + $237 + $373 + $360 + $339/5 = $325. Five new money market funds × 125 hours with an internal time cost of $40,625 per fund = 625 hours with an internal time cost of $203,125.

Aggregate annual hourly burden for all funds filing reports on Form N–MFP using a third party service provider: 24,192 hours + 625 hours = 24,817 hours.

Aggregate annual costs for all funds filing reports on Form N–MFP using a third party service provider: $7,862,400 + $203,125 = $8,065,525.

[17] This estimate is based on the following calculation: 19,446 hours for filers licensing a software solution and filing in-house + 24,817 hours for filers using a third-party service provider = 44,263 hours in total.

[18] This estimate is based on the following calculation: $6,319,950 (in-house filers) + $6,319,950 (filers using a service provider) = $14,385,475.

fund per year. In addition, we estimate that money market funds that use a service provider to prepare and file reports on Form N–MFP pay an average fee of $9,300 per fund per year. In sum, we estimate that all money market funds incur on average, in the aggregate, external annual costs of $2,613,300.[19]

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by July 6, 2022 to (i) *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov*.

Dated: May 31, 2022.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12018 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270–239, OMB Control No. 3235–0224]

Submission for OMB Review; Comment Request; Extension: Rule 17j–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520), the Securities and Exchange Commission (the ''Commission'') has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

Conflicts of interest between investment company personnel (such as portfolio managers) and their funds can arise when these persons buy and sell securities for their own accounts (''personal investment activities''). These conflicts arise because fund personnel have the opportunity to profit from information about fund transactions, often to the detriment of fund investors. Beginning in the early 1960s, Congress and the Securities and Exchange Commission (''Commission'') sought to devise a regulatory scheme to effectively address these potential conflicts. These efforts culminated in the addition of section 17(j) to the Investment Company Act of 1940 (the ''Investment Company Act'') (15 U.S.C. 80a–17(j)) in 1970 and the adoption by the Commission of rule 17j–1 (17 CFR 270.17j–1) in 1980.[1] The Commission proposed amendments to rule 17j–1 in 1995 in response to recommendations made in the first detailed study of fund policies concerning personal investment activities by the Commission's Division of Investment Management since rule 17j–1 was adopted. Amendments to rule 17j–1, which were adopted in 1999, enhanced fund oversight of personal investment activities and the board's role in carrying out that oversight.[2] Additional amendments to rule 17j–1 were made in 2004, conforming rule 17j–1 to rule 204A–1 under the Investment Advisers Act of 1940 (15 U.S.C. 80b), avoiding duplicative reporting, and modifying certain definitions and time restrictions.[3] Section 17(j) makes it unlawful for persons affiliated with a registered investment company (''fund'') or with the fund's investment adviser or principal underwriter (each a ''17j–1 organization''), in connection with the purchase or sale of securities held or to be acquired by the investment company, to engage in any fraudulent, deceptive, or manipulative act or practice in contravention of the Commission's rules and regulations. Section 17(j) also authorizes the Commission to promulgate rules requiring 17j–1 organizations to adopt codes of ethics.

In order to implement section 17(j), rule 17j–1 imposes certain requirements on 17j–1 organizations and ''Access Persons'' [4] of those organizations. The rule prohibits fraudulent, deceptive or manipulative acts by persons affiliated with a 17j–1 organization in connection with their personal securities transactions in securities held or to be acquired by the fund. The rule requires each 17j–1 organization, unless it is a money market fund or a fund that does not invest in Covered Securities,[5] to: (i) adopt a written codes of ethics, (ii) submit the code and any material changes to the code, along with a certification that it has adopted procedures reasonably necessary to prevent Access Persons from violating the code of ethics, to the fund board for approval, (iii) use reasonable diligence and institute procedures reasonably necessary to prevent violations of the code, (iv) submit a written report to the fund describing any issues arising under the code and procedures and certifying that the 17j–1 entity has adopted procedures reasonably necessary to prevent Access Persons form violating the code, (v) identify Access Persons and notify them of their reporting obligations, and (vi) maintain and make available to the Commission for review certain records related to the code of ethics and transaction reporting by Access Persons.

The rule requires each Access Person of a fund (other than a money market fund or a fund that does not invest in Covered Securities) and of an investment adviser or principal underwriter of the fund, who is not subject to an exception,[6] to file: (i)

[19] This estimate is based on the following calculation: (124 money market funds (121 existing funds + 3 new funds) that file reports on Form N–MFP in house × $3,900 per fund, per year) + (229 money market funds (224 existing funds + 5 new funds) that file reports on Form N–MFP using a service provider × $9,300 per fund, per year) = $2,613,300.

[1] Prevention of Certain Unlawful Activities with Respect to Registered Investment Companies, Investment Company Act Release No. 11421 (Oct. 31, 1980) (45 FR 73915 (Nov. 7, 1980)).

[2] Personal Investment Activities of Investment Company Personnel, Investment Company Act Release No. 23958 (Aug. 20, 1999) (64 FR 46821 (Aug. 27, 1999)).

[3] Investment Adviser Codes of Ethics, Investment Advisers Act Release No. 2256 (Jul. 2, 2004) (69 FR 41696 (Jul. 9, 2004)).

[4] Rule 17j–1(a)(1) defines an ''access person'' as ''Any Advisory Person of a Fund or of a Fund's investment adviser. If an investment adviser's primary business is advising Funds or other advisory clients, all of the investment adviser's directors, officers, and general partners are presumed to be Access Persons of any Fund advised by the investment adviser. All of a Fund's directors, officers, and general partners are presumed to be Access Persons of the Fund.'' The definition of Access Person also includes ''Any director, officer or general partner of a principal underwriter who, in the ordinary course of business, makes, participates in or obtains information regarding, the purchase or sale of Covered Securities by the Fund for which the principal underwriter acts, or whose functions or duties in the ordinary course of business relate to the making of any recommendation to the Fund regarding the purchase or sale of Covered Securities.'' Rule 17j–1(a)(1).

[5] A ''Covered Security'' is any security that falls within the definition in section 2(a)(36) of the Act, except for direct obligations of the U.S. Government, bankers' acceptances, bank certificates of deposit, commercial paper and high quality short-term debt instruments, including repurchase agreements, and shares issued by open-end funds. Rule 17j–1(a)(4).

[6] Rule 17j–1(d)(2) contains the following exceptions: (i) an Access Person need not file a report for transactions effected for, and securities held in, any account over which the Access Person does not have control; (ii) an independent director of the fund, who would otherwise be required to report solely by reason of being a fund director and who does not have information with respect to the fund's transactions in a particular security, does not

within 10 days of becoming an Access Person, a dated initial holdings report that sets forth certain information with respect to the Access Person's securities and accounts; (ii) dated quarterly transaction reports within 30 days of the end of each calendar quarter providing certain information with respect to any securities transactions during the quarter and any account established by the Access Person in which any securities were held during the quarter; and (iii) dated annual holding reports providing information with respect to each Covered Security the Access Person beneficially owns and accounts in which securities are held for his or her benefit. In addition, rule 17j–1 requires investment personnel of a fund or its investment adviser, before acquiring beneficial ownership in securities through an initial public offering (IPO) or in a private placement, to obtain approval from the fund or the fund's investment adviser.

The requirements that the management of a rule 17j–1 organization provide the fund's board with new and amended codes of ethics and an annual issues and certification report are intended to enhance board oversight of personal investment policies applicable to the fund and the personal investment activities of Access Persons. The requirements that Access Persons provide initial holdings reports, quarterly transaction reports, and annual holdings reports and request approval for purchases of securities through IPOs and private placements are intended to help fund compliance personnel and the Commission's examinations staff monitor potential conflicts of interest and detect potentially abusive activities. The requirement that each rule 17j–1 organization maintain certain records is intended to assist the organization and the Commission's examinations staff in determining if there have been violations of rule 17j–1.

We estimate that annually there are approximately 85,927 respondents under rule 17j–1, of which 15,927 are rule 17j–1 organizations and 70,000 are Access Persons. In the aggregate, these respondents make approximately 107,363 responses annually. We estimate that the total annual burden of complying with the information collection requirements in rule 17j–1 is approximately 376,628 hours. This hour burden represents time spent by Access Persons that must file initial and annual holdings reports and quarterly transaction reports, investment personnel that must obtain approval before acquiring beneficial ownership in any securities through an IPO or private placement, and the responsibilities of Rule 17j–1 organizations arising from information collection requirements under rule 17j–1. These include notifying Access Persons of their reporting obligations, preparing an annual rule 17j–1 report and certification for the board, documenting their approval or rejection of IPO and private placement requests, maintaining annual rule 17j–1 records, maintaining electronic reporting and recordkeeping systems, amending their codes of ethics as necessary, and, for new fund complexes, adopting a code of ethics.

We estimate that there is an annual cost burden of approximately $5,000 per fund complex, for a total of $4,020,000, associated with complying with the information collection requirements in rule 17j–1. This represents the costs of purchasing and maintaining computers and software to assist funds in carrying out rule 17j–1 recordkeeping.

These burden hour and cost estimates are based upon the Commission staff's experience and discussions with the fund industry. The estimates of average burden hours and costs are made solely for the purposes of the Paperwork Reduction Act. These estimates are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules.

Compliance with the collection of information requirements of the rule is mandatory and is necessary to comply with the requirements of the rule in general. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number. Rule 17j–1 requires that records be maintained for at least five years in an easily accessible place.[7]

The public may view background documentation for this information collection at the following website: *www.reginfo.gov.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice by July 6, 2022 to (i) *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* and (ii) David Bottom, Director/Chief Information Officer, Securities and Exchange Commission, c/o John Pezzullo, 100 F Street NE, Washington, DC 20549, or by sending an email to: *PRA_Mailbox@sec.gov.*

Dated: May 31, 2022.

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12019 Filed 6–3–22; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–95007; File No. 10–239]

24X National Exchange LLC; Notice of Filing of Application for Registration as a National Securities Exchange Under Section 6 of the Securities Exchange Act of 1934

May 31, 2022.

On March 25, 2022, 24X National Exchange LLC (''24X'' or ''Applicant'') submitted to the Securities and Exchange Commission (''Commission'') a Form 1 application under the Securities Exchange Act of 1934 (''Exchange Act''), seeking registration as a national securities exchange under Section 6 of the Exchange Act. The Applicant's Form 1 application provides detailed information on how 24X proposes to satisfy the requirements of the Exchange Act.

The Commission is publishing this notice to solicit comments on 24X's Form 1 application. The Commission will take any comments it receives into consideration in making its determination about whether to grant 24X's request to be registered as a national securities exchange. The Commission will grant the registration if it finds that the requirements of the Exchange Act and the rules and

have to file an initial holdings report or a quarterly transaction report,; (iii) an Access Person of a principal underwriter of the fund does not have to file reports if the principal underwriter is not affiliated with the fund (unless the fund is a unit investment trust) or any investment adviser of the fund and the principal underwriter of the fund does not have any officer, director, or general partner who serves in one of those capacities for the fund or any investment adviser of the fund; (iv) an Access Person to an investment adviser need not make quarterly reports if the report would duplicate information provided under the reporting provisions of the Investment Adviser's Act of 1940; (v) an Access Person need not make quarterly transaction reports if the information provided in the report would duplicate information received by the 17j–1 organization in the form of broker trade confirmations or account statements or information otherwise in the records of the 17j–1 organization; and (vi) an Access Person need not make quarterly transaction reports with respect to transactions effected pursuant to an Automatic Investment Plan.

[7] If information collected pursuant to the rule is reviewed by the Commission's examination staff, it will be accorded the same level of confidentiality accorded to other responses provided to the Commission in the context of its examination and oversight program. See section 31(c) of the Investment Company Act (15 U.S.C. 80a–30(c)).

regulations thereunder with respect to 24X are satisfied.[1]

24X's Form 1 application states that 24X would be wholly-owned by its parent company, 24X US Holdings LLC (''US Holdings''), which in turn is wholly-owned by 24X Bermuda Holdings LLC (''Bermuda Holdings'').

The Form 1 application provides that 24X would operate a fully automated electronic trading platform for the trading of listed equities and would not maintain a physical trading floor. It also provides that liquidity would be derived from quotes as well as orders to buy and orders to sell submitted to 24X electronically by Members from remote locations. 24X proposes to have one class of membership open to registered broker-dealers. One novel feature of 24X's proposed trading rules is that 24X intends to allow equities trading 24 hours a day, 7 days per week, 365 days a year.[2] 24X has proposed specific rules to govern trading outside of regular trading hours.[3] Another notable feature in 24X's Form 1 application is that it contemplates allowing market participants to trade fractional shares.[4]

A more detailed description of the manner of operation of 24X's proposed system can be found in Exhibit E to 24X's Form 1 application. The proposed rulebook for the proposed exchange can be found in Exhibit B to 24X's Form 1 application, and the governing documents for 24X, US Holdings and Bermuda Holdings can be found in Exhibit A and Exhibit C to 24X's Form 1 application. A listing of the officers and directors of 24X can be found in Exhibit J to 24X's Form 1 application. A complete set of forms concerning membership and access can be found in Exhibit F to 24X's Form 1 application.

24X's Form 1 application, including all of the Exhibits referenced above, is available online at *www.sec.gov/rules/other.shtml* as well as in the Commission's Public Reference Room. Interested persons are invited to submit written data, views, and arguments concerning 24X's Form 1, including whether the application is consistent with the Exchange Act.

Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number 10–239 on the subject line.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number 10–239. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/other.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to 24X's Form 1 filed with the Commission, and all written communications relating to the application between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions.

You should submit only information that you wish to make publicly available. All submissions should refer to File Number 10–239 and should be submitted on or before July 21, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[5]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12010 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

[1] 15 U.S.C. 78s(a).

[2] *See* proposed 24X Rule 11.1 (describing the hours of trading and trading days for 24X).

[3] For example, *see* proposed 24X Rule 11.16 (describing what orders are eligible for execution outside of regular trading hours).

[4] *See* proposed 24X Rule 11.16(q) (defining the unit of trading in stocks as one thousandth of a share).

[5] 17 CFR 200.30–3(a)(16) and (a)(71)(i).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–95006; File No. SR–CBOE–2022–024]

Self-Regulatory Organizations; Cboe Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Rules Regarding Complex Orders

May 31, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the ''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 23, 2022, Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act[3] and Rule 19b–4(f)(6) thereunder.[4] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Cboe Exchange, Inc. (the ''Exchange'' or ''Cboe Options'') proposes to amend its Rules regarding complex orders. The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange's website (*http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx*), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(iii).

[4] 17 CFR 240.19b–4(f)(6).

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its Rules regarding complex orders. Specifically, the Exchange proposes to clarify certain provisions, codify certain functionality, and correct certain language, as well as to retain class-by-class flexibility to keep complex order electronic eligibility for complex orders with ratios less than one-to-three and greater than three-to-one in classes determined by the Exchange (*i.e.,* the same as it currently is with respect to those classes).

In February of 2022, the Commission approved the Exchange's proposal to permit complex orders with ratios less than one-to-three and greater than three-to-one to trade in penny increments and be eligible for electronic processing.[5] Prior to that, complex orders with these ratios were only able to trade on the Exchange's trading floor in open outcry (and in the standard increments for the applicable class).

The proposed rule change makes three changes to the definition of complex order in Rule 1.1: (1) It deletes the sentence that narrows the definition of complex orders for purposes of electronic processing to those with ratios greater than or equal to one-to-three and less than or equal to three-to-one; (2) it clarifies that the term complex order includes Index Combo orders unless the context otherwise requires; and (3) it provides the Exchange with flexibility to determine on a class basis whether to permit complex orders with ratios less than one-to-three and greater than three-to-one to be eligible for electronic processing. First, currently, the definition of complex order indicates that for purposes of Rules 5.33 (which relates to electronic trading of complex orders) and 5.85(b)(1) (which relates to open outcry trading of complex orders), the term ''complex order'' means a complex order with any ratio equal to or greater than one-to-three (.333) and less than or equal to three-to-one (3.00), an Index Combo order, a stock-option order, or a security future-option order. Pursuant to this provision, only complex orders with a ratio equal to or greater than one-to-three (.333) and less than or equal to three-to-one (3.00) (in addition to Index Combo Orders, stock-option orders, and security future-option orders) may trade electronically.[6] The Exchange proposes to delete this sentence because, in accordance with a rule filing previously approved by the Commission,[7] the Exchange intends to modify its System to permit complex orders of any ratio to trade electronically (except in classes determined by the Exchange, as further discussed below), so the term complex order generally will have the same meaning with respect to both open outcry and electronic trading, which eliminates the need to have a separate definition for electronic trading.[8] Therefore, the Exchange proposes to delete the provision that indicates complex order means complex orders with that ratio restriction for purposes of Rule 5.33.[9]

Second, the complex order definition currently states that unless the context otherwise requires, the term complex order includes stock-option orders and security future-option orders. Specifically, the proposed rule change provides that ''[u]nless the context otherwise requires, the term complex order includes Index Combo orders,[10] stock-option orders and security future-option orders.'' The proposed rule change adds ''Index Combo orders'' to that sentence, because as discussed above the proposed rule change is deleting the immediately following sentence. That sentence includes the term ''Index Combo'' as a type of complex order for purposes of electronic and open outcry processing. Despite deletion of that sentence, an Index Combo is still a type of complex order (as set forth in Rule 5.33) and thus this proposed change retains that concept in the complex order definition. This change merely clarifies in the definition of complex order that an Index Combo order will generally be considered a ''complex order'' for purposes of the Rules.

Third, as noted above, the Commission previously approved a proposed rule change that would permit complex orders with all ratios to be eligible for electronic processing, as opposed to just complex orders with ratios greater than or equal to one-to-three (.333) or less than or equal to three-to-one (3.00).[11] Prior to implementing that change, the Exchange believes it is appropriate to retain flexibility to determine on a class-by-class basis whether to maintain the status quo—specifically whether to permit complex orders with ratios less than one-to-three (.333) or greater than three-to-one (3.00) to be eligible for electronic processing. Certain classes have significant volume executed in open outcry trading on the Exchange's trading floor. The Exchange and its customers continue to believe the trading floor is an important source of liquidity, which is provided efficiently by a large pool of accessible Market-Makers and floor brokers. However, Market-Makers and floor brokers expend resources to have a presence on the trading floor, which they do because a certain level of order flow routes to the floor. The Exchange believes it is beneficial to provide investors with flexibility to have their complex order interest execute either electronically or in open outcry. However, the Exchange also believes it is important to balance that flexibility with the need to ensure significant order flow continues to route to the trading floor, providing an ongoing incentive for liquidity providers to populate the floor. This is particularly important in classes with high open outcry volume. Therefore, the proposed rule change adds to the definition of complex order in Rule 1.1 that the Exchange determines on a class-by-class basis whether complex orders with ratios less than one-to-three (.333) or greater than three-to-one (3.00) are eligible for electronic processing.[12]

The proposed rule change next corrects an error in the definition of

[5] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046). The Exchange has not yet implemented this change and intends to after this proposed rule change becomes operative.

[6] For the purpose of applying these ratios to complex orders comprised of legs for both mini-options and standard options, ten mini-option contracts represent one standard option contract. For the purpose of applying these ratios to complex orders comprised of legs for both micro-options and standard options, 100 micro-option contracts represent one standard option contract.

[7] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046).

[8] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046).

[9] Similarly, the Exchange proposes to delete the reference to Rule 5.85(b)(1), as the ratios relevant for purposes of open outcry priority as described in Rule 5.85(b)(1) are already set forth in that provision, making this reference redundant and thus unnecessary.

[10] An ''Index Combination'' is a purchase (sale) of an index option call and sale (purchase) of an index option put with the same underlying index, expiration date, and strike price, and a ''delta'' is the positive (negative) number of Index Combinations that must be sold (purchased) to establish a market neutral hedge with one or more series of the same index option. An Index Combo order may not have a ratio greater than eight options to one Index Combination (8.00) and will be subject to all provisions applicable to complex orders (excluding the one-to-three/three-to-one ratio) in the Rules. Rule 5.33(b)(3).

[11] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046). The Exchange has yet to implement this change and plans to do so after this proposed rule change is operative.

[12] The proposed rule change also makes conforming changes to Rules 5.6 (definition of complex order), 5.30(a)–(c), 5.33, and 5.83(b).

COA-eligible and Do-Not-COA orders in rule 5.33(c)(5). The Exchange's System currently determines whether an order is ''COA-eligible'' by comparing the price of an order to resting interest on the same side as the order in the Simple Book and in the Complex Order Book (''COB''). However, the current definition inadvertently inversed the relevant terms and compares the price of a buy complex order to the synthetic best offer (''SBO'') and sell complex orders and compares the price of a sell complex order to the synthetic best bid (''SBB'') and buy complex orders, which would be opposite-side interest. The proposed rule change corrects this error and revises the definition to provide that whether a complex order is COA-eligible will be determined by comparing the order's price to same-side interest, which is consistent with current System functionality. Specifically, a ''COA-eligible'' complex order is a buy (sell) complex order with User instructions to (or which default to) initiate a COA that is priced (i) equal to or higher (lower) than the SBB (SBO) (provided that if any of the bids or offers on the Simple Book that comprise the SBB (SBO) is represented by a Priority Customer order, the complex order must be priced at least one minimum increment higher (lower) than the SBB (SBO) and (ii) higher (lower) than the price of buy (sell) complex orders resting at the top of the COB. This is consistent with the provisions that will cause a COA to terminate early, pursuant to which a COA will end early because of incoming same-side interest.[13] Additionally, the proposed rule change is consistent with another exchange's definition of ''COA-eligible'' order.[14]

The proposed rule change also makes non-substantive changes to Rule 5.33(f)(2)(A). Specifically, the proposed rule change combines subparagraph (ii) with (v) (and renumbers the subparagraphs), as the provisions ultimately mean the same thing. Specifically, Rule 5.33(f)(2)(A)(i) provides that the System does not execute a complex order pursuant to Rule 5.33 at a net price worse than the SBBO or equal to the SBBO when there is a Priority Customer order at the SBBO, except all-or-none (''AON'') complex orders may only execute at prices better than the SBBO. Therefore, if there is a Priority Customer Order comprising part of the SBBO, a complex order could only execute by improving the SBBO, which would require improvement of component prices. This is what current Rule 5.33(f)(2)(A)(v) requires. Specifically, that provision states that the System does not execute a complex order pursuant to Rule 5.33 at a net price that would cause any component of the complex strategy to be executed at a price ahead of a Priority Customer Order on the Simple Book without improving the BBO of (a) at least one component of the complex strategy, if the complex order has a ratio equal to or greater than one-to-three (.333) and less than or equal to three-to-one (3.00), or is an Index Combo order; or (b) each component of the complex strategy with a Priority Customer Order at the BBO, if the complex order has a ratio less than one-to-three (.333) or greater than three-to-one (3.00). Because these two provisions are interrelated, the Exchange believes it is appropriate to combine them into proposed Rule 5.33(f)(2)(A)(iv).[15] The proposed rule change has no impact on complex order priority.

The proposed rule change also clarifies that for complex order priority for complex orders with ratios equal to or greater than one-to-three and less than or equal to three-to-one, complex order priority in open outcry is slightly different than complex order priority for these complex orders in electronic trading. Specifically, in electronic trading, these complex orders may not execute when there is a Priority Customer order on any leg on the SBBO while in open outcry trading, these orders can trade at the SBBO unless there is a Priority Customer order on every leg comprising the SBBO. Current Rule 5.85(b)(1) states that a complex order with any ratio equal to or greater than one-to-three (.333) and less than or equal to three-to-one (3.00) or that is an Index Combo order may be executed at a net debit or credit price without giving priority to equivalent bids (offers) in the individual series legs that are represented in the trading crowd or in the Book if the price of at least one leg of the order improves the corresponding bid (offer) of a Priority Customer order(s) in the Book by at least one minimum trading increment as set forth in Rule 5.4(b). The proposed rule change clarifies that this provision means that one component of the complex order must improve the price of one component leg in the Book if there is a Priority Customer order at the top of the Book for each leg of the Priority Customer order (rather than just at least one leg, which is the case for electronic trading complex order priority, as discussed above). Because open outcry and electronic complex order priority differ with respect to complex orders with any ratio equal to or greater than one-to-three (.333) and less than or equal to three-to-one (3.00) and Index Combo orders, the Exchange believes it is appropriate to clarify that in the Rules. Therefore, the proposed rule change adds to Rule 5.85(b)(1) a sentence stating that, in other words, if there is a Priority Customer order at the top of the Simple Book on each leg comprising the SBBO for the complex strategy, at least one component of the complex order must execute at a price that improves the price of the Priority Customer order on the Simple Book for that component.[16] The proposed rule change has no impact on open outcry complex order priority.

Finally, the proposed rule change updates Rule 5.33(g) to reflect that the System accepts for electronic processing complex orders with more than four legs. Current Rule 5.33(g) states that a complex order may execute against orders and quotes resting in the Simple Book pursuant to Rule 5.33(d)(5)(A) and (e) if it can execute in full or in a permissible ratio and if it has no more than a maximum number of legs, which the Exchange determines on a class-by-class basis and may be two, three or four, subject to certain restrictions, including that non-Customer complex orders with two option legs that are both

[13] Specifically, Rule 5.33(d)(3) provides that the COA response time interval terminates early (a) when the System receives a non-COA-eligible order on the same side as the COA-eligible order that initiated the COA but with a price better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5) and enters the new order in the COB; (b) when the System receives a non-Priority Customer Order in a leg of the complex order that would improve the SBBO on the same side as the COA-eligible order that initiated the COA to a price better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5), enters the new order in the Simple Book, and updates the SBBO; or (c) if the System receives a Priority Customer Order in a leg of the complex order that would join or improve the SBBO on the same side as the COA-eligible order that initiated the COA to a price equal to or better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5), enters the new order in the Simple Book, and updates the SBBO.

[14] *See* Cboe C2 Exchange, Inc. Rule 5.33(b)(2).

[15] The proposed rule change makes other nonsubstantive changes to the sentence structure as a result of the combination of provisions.

[16] Complex order priority with respect to complex orders with ratios less than one-to-three (.333) and greater than three-to-one (3.00) (except for Index Combo orders) is the same in both electronic and open outcry trading. Therefore, the proposed rule change adds to Rule 5.85(b)(2) the same language from proposed Rule 5.33(f)(2)(iv)(b), which states that for complex order with those ratios, if there is a Priority Customer order on any leg(s) comprising the SBBO, the component(s) of the complex order for the leg(s) with a Priority Customer order at the BBO must execute at a price that improves the price of that Priority Customer order(s) on the Simple Book by at least one minimum increment.

buy or both sell and that are both calls or both puts may not leg into the Simple Book and all complex orders with three or four option legs that are all buy or all sell may not leg into the Simple Book. The proposed rule change modifies the parenthetical regarding legging restrictions to indicate that the maximum number the Exchange may determine on a class-by-class basis may be up to 16, as the Exchange's System currently accepts complex orders with up to that many legs for electronic processing.[17] The proposed rule change makes no changes to which or how complex orders may leg into the Simple Book but rather updates this provision to reflect current functionality.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the ''Act'') and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.[18] Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[19] requirements that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. Additionally, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)[20] requirement that the rules of an exchange not be designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

In particular, the proposed rule change makes no changes to how complex orders are processed or executed, but rather updates the Rules to reflect more accurately current System functionality and to make clarifying and simplifying changes, which the Exchange believes will remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, protect investors and the public interest. As noted above, the Commission previously approved a proposed rule change that would permit complex orders with all ratios to be eligible for electronic processing, as opposed to just complex orders with ratios greater than or equal to one-to-three (.333) or less than or equal to three-to-one (3.00).[21] The proposed rule change to delete the part of the complex order definition in Rule 1.1 that restricts electronic processing to complex orders with ratios greater than or equal to one-to-three and less than or equal to three-to-one is consistent with the Exchange's prior proposed rule change to permit complex orders of all ratios to be eligible for electronic processing—this language was previously inadvertently not deleted.[22]

Additionally, the proposed rule change to permit the Exchange to determine on a class basis whether to permit these larger/smaller ratio complex orders to be eligible for electronic processing[23] will further remove impediments to and perfect the mechanism of a free and open market and a national market system by permitting the Exchange to balance the flexibility of permitting complex orders to trade in open outcry or electronically with the need to ensure that significant order flow continues to route to the trading floor, providing an ongoing incentive for liquidity providers to populate the floor. The Exchange believes this will further protect investors who rely on liquidity on the trading floor, particularly for complex orders. While the Exchange generally believes any increase in electronic order flow will not be significant enough to impact liquidity available on the trading floor, the Exchange believes it is still appropriate to retain this flexibility in the Rules to provide it with authority to act swiftly if it appears floor liquidity has been or may be impacted.[24] With respect to any class for which the Exchange does not permit larger/smaller ratio complex orders to be eligible for electronic processing, that results in no change for these orders, as these orders currently can only trade in open outcry.

The proposed change to the definition of COA-eligible order in Rule 5.33(b)(5)(A) merely conforms the provision to the System, which compares the price of the order to same-side interest rather than opposite-side interest. The current language inadvertently inverted the terms; the proposed rule change corrects this, which makes the rule text consistent with the System and thus provides additional transparency, ultimately benefiting investors. This is consistent with the provisions that will cause a COA to terminate early, pursuant to which a COA will end early because of incoming same-side interest.[25] Additionally, the proposed rule change is consistent with another exchange's definition of ''COA-eligible'' order.[26]

The proposed rule change to update the provisions regarding complex order priority in Rules 5.33(f)(2) and 5.85(b)(1) is a nonsubstantive change intended to simplify the rule text regarding when legs of complex orders must improve prices of orders on the Simple Book. Similarly, the proposed rule change to clarify complex order priority in open outcry is merely a clarification of the current priority. The Exchange believes this will benefit investors, particularly since it is different than electronic complex order priority with respect to complex orders with ratios greater than or equal to one-to-three (.333) and less than or equal to three-to-one (3.00). These proposed rule changes have no impact on electronic or open outcry complex order priority.

[17] *See* Cboe Notice C2021060800, *Cboe Options Introduces 16-Leg Maximum for Non-FLEX Complex Orders* (June 8, 2021), *available at* Cboe Options Introduces 16-Leg Maximum for Non-FLEX Complex Orders; *see also Cboe US Options Complex Book Process* (technical specifications last updated April 20, 2022), Section 2.3.2, *available at* US Options Complex Book Process.

[18] 15 U.S.C. 78f(b).

[19] 15 U.S.C. 78f(b)(5).

[20] *Id.*

[21] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046). The Exchange has yet to implement this change and plans to do so after this proposed rule change is operative.

[22] *See* Securities Exchange Act Release No. 94204 (February 9, 2022), 87 FR 8625 (February 15, 2022) (SR–CBOE–2021–046).

[23] *See* proposed Rule 1.1 (definition of complex order) and corresponding changes in Rules 5.6(c) (definition of complex order), 5.30(a)(4), (b)(4), and (c)(4), 5.33(a) (definition of complex order), and 5.83(b).

[24] The Exchange would announce any changes to classes in which complex orders with ratios less than one-to-three or greater than three-to-one were eligible or no longer eligible for electronic processing in accordance with Rule 1.5, providing Trading Permit Holders with sufficient advanced notice of any such change.

[25] Specifically, Rule 5.33(d)(3) provides that the COA response time interval terminates early (a) when the System receives a non-COA-eligible order on the same side as the COA-eligible order that initiated the COA but with a price better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5) and enters the new order in the COB; (b) when the System receives a non-Priority Customer Order in a leg of the complex order that would improve the SBBO on the same side as the COA-eligible order that initiated the COA to a price better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5), enters the new order in the Simple Book, and updates the SBBO; or (c) if the System receives a Priority Customer Order in a leg of the complex order that would join or improve the SBBO on the same side as the COA-eligible order that initiated the COA to a price equal to or better than the COA price, in which case the System terminates the COA and processes the COA-eligible order pursuant to Rule 5.33(d)(5), enters the new order in the Simple Book, and updates the SBBO.

[26] *See* Cboe C2 Exchange, Inc. Rule 5.33(b)(2).

Finally, the proposed rule change to the provision regarding complex order legging in Rule 5.33(g) will protect investors, as it merely updates the provision to reflect that the System accepts for electronic processing complex orders with more than four legs. The proposed rule change makes no changes to which or how complex orders may leg into the Simple Book but rather updates this provision to reflect current functionality.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not intended for competitive purposes, but rather to clarify certain provisions, codify certain functionality, and correct certain language, as well as to retain class-by-class flexibility to keep complex order electronic eligibility the same as it currently.

The Exchange does not believe that the proposed rule change will impose any burden on intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because all changes will apply in the same manner to all investors. To the extent the Exchange determines to not permit higher/lower ratio complex orders to be eligible for electronic processing in any class, that will result in maintaining the status quo for complex orders in that class, as the Exchange currently does not permit complex orders with those ratios to be processed electronically. Additionally, manual handling and open outcry processing will be available for all complex orders with such ratios from all investors. The other proposed rule changes have no impact on trading and thus will not change how any investors' complex orders are processed or executed on the Exchange. As noted above, the proposed rule change makes no changes to electronic or open outcry complex order priority, which orders can initiate a COA, or how complex orders may leg into the Simple Book.

The Exchange does not believe that the proposed rule change will impose any burden on intermarket competition that is not necessary or appropriate in furtherance of the purposes of the Act, because the proposed rule change has no impact on how complex orders trade, as it makes primarily clarifying updates, corrections, and other nonsubstantive changes. The Exchange is unaware of any other options exchanges that permit complex orders with ratios less than .333 or greater than 3.00 to trade electronically. Therefore, to the extent the Exchange does not make complex orders with those ratios in a class eligible for electronic processing, the Exchange would be permitting complex orders to trade in the same manner as other options exchanges. Other options exchanges are welcome to modify their systems to permit higher/lower ratio orders to execute electronically or on their trading floors.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not (a) significantly affect the protection of investors or the public interest; (b) impose any significant burden on competition; and (c) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act [27] and Rule 19b–4(f)(6) [28] thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission will institute proceedings to determine whether the proposed rule change should be approved or disapproved.

A proposed rule change filed under Rule 19b–4(f)(6) [29] normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b–4(f)(6)(iii),[30] the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay. As discussed above, the proposal will allow the Exchange to determine on a class-by-class basis whether complex orders with ratios less than one-to-three and greater than three-to-one will be eligible for electronic processing. The Exchange states that this flexibility will allow the Exchange to balance the benefits of permitting the electronic processing of these complex orders with the need to ensure that significant order flow continues to route to the Exchange's trading floor, thereby providing an ongoing incentive for liquidity providers to maintain a presence on the floor. The Exchange further states that waiver of the operative delay will benefit investors by allowing the Exchange to broaden the availability of electronic complex order processing in many option classes as soon as possible. In addition, the Exchange states that the proposed amendments to the complex order priority provisions in Exchange Rules 5.33(f)(2) and 5.85(b)(1) are non-substantive changes designed to simply and clarify those rules. The proposal also corrects errors in the definition of COA-eligible order and updates Exchange Rule 5.33(g) to reflect that the Exchange's System accepts for electronic processing complex orders with up to 16 legs. The Commission finds that waiving the operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to make available without delay the electronic processing of complex orders with ratios less than one-to-three and greater than three-to-one in classes determined by the Exchange. The ability to trade these orders electronically, as well as on the trading floor, will provide investors with additional flexibility in determining how their complex orders are executed. The proposed changes to correct, update, and add clarity to the Exchange's rules will benefit investors by helping to ensure that the Exchange's rules are clear and accurate. For these reasons, the Commission designates the proposal operative upon filing.[31]

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

[27] 15 U.S.C. 78s(b)(3)(A).

[28] 17 CFR 240.19b–4(f)(6).

[29] 17 CFR 240.19b–4(f)(6).

[30] 17 CFR 240.19b–4(f)(6)(iii).

[31] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an email to *rule-comments@sec.gov.* Please include File Number SR–CBOE–2022–024.

Paper Comments

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549–1090.

All submissions should refer to File Number SR–CBOE–2022–024. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–CBOE–2022–024, and should be submitted on or before June 27, 2022.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[32]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12012 Filed 6–3–22; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–95011; File No. SR–NSCC–2022–003]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Approving Proposed Rule Change To Introduce Central Clearing for Securities Financing Transaction Clearing Service

May 31, 2022.

I. Introduction

On March 28, 2022, National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] proposed rule change SR–NSCC–2022–003. The proposed rule change was published for comment in the **Federal Register** on April 19, 2022.[3] For the reasons discussed below, the Commission is approving the proposed rule change.

II. Description of the Proposed Rule Change

A. Overview of Proposal

NSCC proposes to expand its central counterparty (''CCP'') services to include securities financing transactions (''SFTs''), also referred to generally as securities lending.[4] SFTs are transactions in which a securities lender loans securities to a securities borrower, for a fee. The borrowers typically use the borrowed securities to cover short sales or fails to deliver that may result from either short or long sales.[5] A lender typically lends securities to generate income through the fees that it charges.

As a CCP, NSCC would interpose itself between the securities lender and borrower and become the counterparty to each entity. NSCC would then be obligated to complete the transaction, that is, to return loaned securities to the lender and collateral to the borrower, even if a lender or borrower in an SFT fails to satisfy its obligations, thereby assuming the risk of each entity's failure to perform to each other.

Specifically, NSCC would novate and guarantee SFTs that involve eligible securities, meaning equity securities (including ETFs) cleared at NSCC with a particular per share price, initially set at $5 or greater. The service would be limited to overnight SFTs (*i.e.,* with a one business day term), with the ability for the parties to extend an expiring SFT into a new transaction.

The SFT service would be available to existing NSCC members.[6] In addition, NSCC would create two new membership categories that would be able to submit SFTs for central clearing: Sponsoring Members that would sponsor institutional clients into NSCC and act as a principal to SFTs with their clients, and Agent Clearing Members that submit SFTs on behalf of institutional customers strictly as an agent. These two new types of membership would allow the proposed service to meet the existing market practices for SFTs, where different types of entities employ different trading strategies and relationships to accommodate their regulatory and other requirements.

Consistent with its risk management for all other transactions in equity securities, NSCC would collect margin from the lender and borrower for

[32] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 94694 (April 12, 2022), 87 FR 23372 (April 19, 2022) (SR–NSCC–2022–003) (''Notice of Filing''). NSCC also filed the proposal contained in the Proposed Rule Change as advance notice SR–NSCC–2022–801 (''Advance Notice'') with the Commission pursuant to Section 806(e)(1) of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010 (''Clearing Supervision Act''). 12 U.S.C. 5465(e)(1); 17 CFR 240.19b–4(n)(1)(i). Notice of filing of the Advance Notice was published for comment in the **Federal Register** on April 19, 2022. Securities Exchange Act Release No. 94695 (April 12, 2022), 87 FR 23328 (April 19, 2022) (SR–NSCC–2022–801). On May 27, 2022, the Commission published a notice of no objection to the Advance Notice. Securities Exchange Act Release No. 94998 (May 27, 2022). The proposal contained in the Proposed Rule Change and the Advance Notice shall not take effect until all regulatory actions required with respect to the proposal are completed.

[4] The Options Clearing Corporation (''OCC'') operates a stock loan program as a CCP. NSCC's new service is similar to OCC's service with one key difference: Unlike OCC's service, which only covers transactions between OCC's direct members (*i.e.,* broker to broker), NSCC's new service would allow indirect participation by buy-side clients. *See* Section II.B.(2).

[5] A short sale is any sale of securities that a seller does not own or has borrowed. *See* 17 CFR 242.200(a).

[6] Capitalized terms not defined herein are defined in the NSCC Rules & Procedures (''Rules''), *available at http://www.dtcc.com/~/media/Files/Downloads/legal/rules/nscc_rules.pdf.*

novated SFTs to address the credit risk arising from such transactions. NSCC would also identify potential liquidity exposures if an SFT member were to default and address that potential need in its risk management.

According to NSCC, the proposed SFT clearing service would provide several benefits for market participants, including increased balance sheet netting benefits, capital efficiency opportunities, and mitigation of fire sale risk.[7] With respect to balance sheet netting benefits and capital efficiency opportunities, NSCC states that the SFT clearing service may allow participants to net down payables and receivables related to the SFTs on their balance sheets because such payables and receivables have one counterparty, NSCC. In turn, NSCC states that because of the capital requirements arising under Basel III rules that favor a netted balance sheet,[8] market participants may reduce the amount of capital they are required to hold under the applicable leverage requirements.[9]

In addition, NSCC believes that the proposal would reduce the potential for market disruption from fire sales for a number of reasons.[10] First, NSCC believes that it would be able to better manage default scenarios by conducting a centralized and orderly liquidation of the defaulter's SFT positions.[11] NSCC represents that a centralized and orderly liquidation would result in substantially less price depreciation and market disruption compared to the multiple independent non-defaulting parties racing against one another to liquidate the positions. Second, NSCC would be able to liquidate the defaulter's net positions instead of gross positions, meaning that a position that needs to be liquidated would be smaller in size and a market disruption can be minimized. Third, by guaranteeing SFTs through central clearing, NSCC believes that it would be able to provide confidence to market participants in a stressed market scenario, thereby lessening any inclination to rush to unwind transactions.[12]

[7] *See* Notice of Filing, *supra* note 3, at 23372–73.

[8] *See* 12 CFR 217.10(c)(4)(ii)(E)–(F).

[9] The Basel III capital and leverage requirements, as implemented by the U.S. banking regulators, mandate banks and depository institutions to hold certain amounts of capital. *See generally, e.g.,* 12 CFR part 3; 12 CFR part 217; 12 CFR part 252, subpart Q; 12 CFR part 324.

[10] *See* Notice of Filing, *supra* note 3, at 23373.

[11] *Id.*

[12] *Id.*

B. Securities Financing Transaction Clearing Service

NSCC proposes to introduce central clearing for SFTs by establishing rules governing (1) key aspects of the SFTs; (2) SFT participant categories; and (3) SFT risk management, as elaborated below.

(1) Key Aspects of the SFTs

Overnight SFTs. The proposed SFT clearing service would apply to transactions with a one business day term (*i.e.,* overnight SFTs) in eligible equity securities. NSCC represents that the proposal applies to overnight SFTs, as opposed to open SFTs, to offer balance sheet netting and capital efficiency opportunities, which require a scheduled settlement date.[13] However, a lender and a borrower would have an option to extend an expiring SFT by rolling it, or a portion thereof, into a new, linked SFT. Accordingly, an expiring SFT would be eligible for renewal every day.

Operational Issues. SFTs would be required to be submitted to NSCC on a locked-in basis and matched between the lender and the borrower.[14] NSCC would receive underlying SFT securities from a lender, send them to a borrower, receive cash collateral equal to no less than 100% of the market value of the securities from the borrower, and send it to the lender.[15]

When an SFT settles, in general, NSCC would essentially reverse the transaction of the prior day by receiving the underlying SFT securities from the borrower and returning them to the lender, and receiving the cash collateral from the lender and returning it to the borrower. NSCC would also pass through daily interest,[16] as applicable. If the parties decide to extend into a linked SFT, instead of transferring the underlying securities and collateral, NSCC would transfer the daily interest and calculate and pass through a mark-to-market payment on the underlying securities, effectively putting the parties in a position of closing the settling SFT and starting a new SFT.

Eligible Equity Securities. As an initial matter, NSCC would provide the proposed SFT service for securities that are eligible to be processed through NSCC's Continuous Net Settlement (''CNS'') System,[17] and have a per share price of $5 or more.[18] If the price of the underlying securities of a novated SFT falls below the threshold price established by NSCC, that SFT would continue to be novated to NSCC, but the margin required for such SFT would be 100% of the market value of such underlying securities until the per share price of the underlying securities equals or exceeds the threshold price.

Recall, Buy-In, and Accelerated Settlement. Consistent with the existing bilateral market, NSCC proposes to introduce recall, buy-in, and accelerated settlement features in its proposed SFT clearing service. Under the proposal, a lender would have a right to recall an existing SFT and stop the SFT from being extended.

Once a lender issues a recall notice, a borrower would be required to satisfy its final settlement obligations by the recall date, which would be the second business day following NSCC's receipt of such notice. If the borrower fails to satisfy its final settlement obligations by the recall date, the lender could go to the market to conduct a buy-in in a commercially reasonable manner,[19] that is, to purchase some or all of securities equivalent to the underlying securities that are the subject to the SFT and charge the borrower for the cost of this purchase or to elect to be deemed to

[13] *See* Notice of Filing, *supra* note 3, at 23374.

[14] Specifically, the transaction data for an SFT must be submitted by an entity that the parties have selected, which could be either a member or a third-party vendor. The SFT members would select which approved submitter to use, and NSCC would have to approve any entity serving as an approved submitter.

[15] To address regulatory and investment guideline requirements applicable to certain institutional firms (*e.g.,* Section 17(f) of the Investment Company Act of 1940 and Rule 17f–2 thereunder), a participant would be permitted to transfer an additional cash haircut above 100% (*e.g.,* 102%) to such institutional firms as part of this initial settlement of the SFT.

[16] NSCC refers to this daily interest as a ''Rate Payment.''

[17] NSCC processes clearance and settlement of equity securities using the CNS System. Securities are CNS-eligible if they are eligible for book-entry transfer on the books of DTC, not subject to certain transfer restrictions, and not subject to certain corporate actions. NSCC, Disclosure Framework for Covered Clearing Agencies and Financial Market Infrastructures (December 2021), *https://www.dtcc.com/-/media/Files/Downloads/legal/policy-and-compliance/NSCC_Disclosure_Framework.pdf.* (''NSCC Disclosure'').

NSCC would maintain a list of the securities that may underlie an SFT that NSCC will accept. Such list would not be a rule but a separate document maintained by NSCC and available to members, consistent with NSCC's practice for equity securities. *See* Notice of Filing, *supra* note 3, at 23375; Rule 3 (Lists to be Maintained) of the Rules, *supra* note 6.

[18] Notice of Filing, *supra* note 3, at 23375. NSCC selected $5 as the per share price minimum for underlying equity securities because $5 is a common share price minimum adopted in brokerage margin eligibility schedules. NSCC may modify the eligible equity securities' minimum share price and would announce any such change via notice to its members. *See id.*

[19] After a buy-in, the lender would give written notice to NSCC of its costs to purchase the relevant SFT securities or the buy-in costs. NSCC would then transfer the costs from the borrower to the lender, and the SFT would be closed.

have purchased such securities.[20] Similar to a lender's recall right, a borrower would have a right to accelerate the scheduled final settlement of an SFT that has been novated to NSCC. NSCC states that this right is required to ensure that certain borrowers would be able to satisfy their regulatory requirements.[21]

(2) SFT Participant Categories

The proposed SFT clearing service would be available for SFTs entered into between two current NSCC members. In addition, NSCC proposes new categories of membership that are designed to accommodate current bilateral SFT arrangements.[22]

First, the Sponsoring Member/Sponsored Member categories would accommodate principal-style trades, in which a Sponsoring Member acting as principal for its own account completes a Sponsored Member's trades using its own inventory. Typically, in these types of arrangements, a Sponsoring Member can earn a profit from the bid-ask spread differences between its Sponsored Member trades and any offsetting trades.

Second, the Agent Clearing Member category would accommodate transactions by firms who typically conduct trades on an agent basis for their institutional clients. An Agent Clearing Member would arrange a transaction on behalf of an institutional client and charge fees for the services (rather than taking spreads).[23] Such client firms may, as part of their business models and agreed-upon investment guidelines, only permit agented transactions, making the Agent Clearing Member a better fit.

According to NSCC, the costs of clearing that may be passed through to the institutional clients, whether as Sponsored Members or as clients to the Agent Clearing Members (''Customers''), by its intermediary would be largely equivalent.[24] However, one key difference between Sponsored Members and Customers would be that Sponsored Members would have a contractual relationship with NSCC while the Agent Clearing Member's Customers would not. NSCC states that, from the perspective of an institutional firm client, whether to become a Sponsored Member or Customer to an Agent Clearing Member may be determined based on who the client's current clearing intermediaries are and the nature of the client's commercial arrangement with its intermediaries.[25] NSCC states that giving a choice to institutions to become a Sponsored Member or Customer should facilitate additional central clearing of SFTs.[26]

Sponsoring Members. All NSCC members would be eligible to apply to become Sponsoring Members, so long as they meet the specified requirements.[27] For operational and administrative purposes, NSCC would interact solely with the Sponsoring Member as the agent of its Sponsored Members, and the Sponsoring Member would be responsible for posting the required margin on Sponsored Member transactions and for covering any default loss allocated to Sponsored Members.[28]

Sponsoring Members would unconditionally guarantee to NSCC the payment and performance of their Sponsored Members' obligations under the Sponsored Member transactions submitted by the Sponsoring Member for novation. Although Sponsored Members are principally liable to NSCC for their own settlement obligations under such transactions in accordance with the proposal, the Sponsoring Member would be required to satisfy those settlement obligations on behalf of a Sponsored Member if the Sponsored Member defaults and fails to perform its settlement obligations. Moreover, Sponsoring Members would be subject to an activity limit based on the perceived volatility of its portfolio as compared to its capital.[29]

Sponsored Members. Sponsored Members would be required to be either a qualified institutional buyer[30] or a legal entity that satisfies the financial requirements necessary to be a qualified institutional buyer. Sponsored Members would enter into an agreement with NSCC whereby Sponsored Members would agree to terms and conditions NSCC identifies as necessary in order to protect NSCC and its members. Sponsored Members would not be full-service NSCC members, but instead would be limited members which rely on the Sponsoring Members to access NSCC's services.

A Sponsored Member would only be eligible to submit transactions in which its respective Sponsoring Member is the counterparty (*i.e.,* ''done with'' transactions). However, a Sponsored Member can be sponsored by more than one Sponsoring Member, should it wish to continue to transact with different entities.

Agent Clearing Members. Agent Clearing Members would serve as agent and credit intermediary for its institutional clients. Agent-style trading is the manner in which such agent lenders are typically approved to transact in securities lending transactions on behalf of their Customers. All NSCC members would be eligible to apply to become Agent Clearing Members in NSCC, so long as they meet the specified requirements.

In addition, Agent Clearing Members would be subject to similar responsibilities as Sponsoring Members. Specifically, an Agent Clearing Member would be responsible for posting to NSCC the required margin for its Customers' activity and covering any default loss allocable to its Customers. Agent Clearing Member transactions would be subject to the same activity limit applicable to Sponsored Member transactions.

An Agent Clearing Member would be fully liable for all obligations of its Customers under the Agent Clearing Member transactions that it submitted to

[20] NSCC states that the requirement that a party exercising buy-in rights do so in a ''commercially reasonable manner'' is the current industry standard, as reflected in the Master Securities Loan Agreement published by Securities Industry and Financial Markets Association. *See* Notice of Filing, *supra* note 3, at 23402; Section 13.1 of the Master Securities Loan Agreement published by Securities Industry and Financial Markets Association.

[21] Specifically, NSCC states that borrowers may have the need to accelerate settlement of securities lending transactions if they lose a ''permitted purpose'' for such loans under Regulation T. *See* 12 CFR 220.1–220.12.

[22] *See* Notice of Filing, *supra* note 3, at 23374.

[23] *See* Notice of Filing, *supra* note 3, at 23382.

[24] *See id.*

[25] *See* Notice of Filing, *supra* note 3, at 23381–82.

[26] *See* Notice of Filing, *supra* note 3, at 23374.

[27] If a member is a registered broker-dealer, then such member would only be eligible to apply to become a Sponsoring Member if it satisfies certain financial requirements. In addition, NSCC may require that a person be a member for a time period deemed necessary by NSCC before that person may be considered to become a Sponsoring Member, for example, for a new member that has yet to demonstrate a track record of financial responsibility and operational capability. Moreover, after becoming a Sponsoring Member, it would be obligated to notify NSCC if it is no longer compliant with the relevant standards and qualifications. NSCC would have a right to review the financial responsibility and operational capability of Sponsoring Members.

[28] NSCC aggregates all members' margin together with certain other deposits required under NSCC's Rules as its clearing fund. NSCC would be able to access the clearing fund should a defaulted member's own margin be insufficient to satisfy losses to NSCC caused by the liquidation of that member's portfolio. *See* Rule 4 (Clearing Fund) and Procedure XV (Clearing Fund Formula and Other Matters) of the Rules, *supra* note 6.

[29] Specifically, if the sum of the margin charges applied by NSCC to capture the risks related to market price movement applicable to its Sponsored Member sub-accounts and its other accounts at NSCC exceeds its required net assets or equity capital, the Sponsoring Member would not be permitted to submit new Sponsored Member transactions, unless otherwise determined by NSCC.

[30] The term qualified institutional buyer is defined by Rule 144A under the Securities Act of 1933, as amended. *See* 17 CFR 230.144A.

NSCC as the member.[31] Unlike Sponsored Members, Customers would not have any direct relationship with NSCC and would not need to apply to become a member or enter into an agreement with NSCC. Moreover, the Agent Clearing Members would be able to submit transactions with a counterparty other than the Agent Clearing Member, resulting in transactions ''done away'' from the Agent Clearing Member.

(3) Risk Management

Under the proposal, NSCC would centrally manage risks associated with SFTs in a manner consistent with other transactions in equity securities that NSCC clears.

Calculation of Margin. NSCC would require all SFT members to provide margin with respect to their SFT activity, subject to a $250,000 minimum amount. NSCC is proposing to calculate an SFT member's required margin by applying the methodology used to determine margin for transactions in equity securities. Specifically, the determination would include certain risk-based margin components [32] that are currently applicable to NSCC's equity securities transactions.

NSCC would determine an SFT member's required margin independently of the member's other positions, including its equity securities transaction positions outside of the SFTs. NSCC would not net a member's SFT positions with its other positions to determine margin, except for the margin liquidity adjustment charge component. Because NSCC would aggregate all members' margins together as its clearing fund [33] regardless of whether they are for SFTs or CNS transactions, an SFT or CNS member default may impact NSCC's clearing fund as a whole. In other words, a default by an SFT member may impact non-SFT members and vice versa.

NSCC would require that a certain portion of its margin be a combination of cash and eligible securities, *i.e.,* the specific Treasury securities that NSCC accepts as collateral. NSCC would also have the discretion to require an SFT member to post its margin in a higher proportion of cash than would otherwise be required, based on the current market conditions and the SFT member's financial and operational capabilities.

For transactions submitted by Sponsoring Members or Agent Clearing Members, NSCC would require that the Sponsoring Members and Agent Clearing Members establish an account or accounts for the margin collected on behalf of Sponsored Members and Customers, respectively. This account would be separate from the Sponsoring Member or Agent Clearing Member's proprietary account. NSCC would determine the required margin for transactions for each Sponsored Member and Customer on a gross basis, that is, separately without netting. The margin obligated for a Sponsoring Member or Agent Clearing Member would be the sum of the individual margin amounts determined for each Sponsored Member and Customer to ensure that the total margin amount represents the sum of each individual institutional client's activity.

Default Management. NSCC's proposed rules would specify the procedures that it would use to centrally manage the default of that member,[34] including liquidating the underlying securities and meeting the final settlement obligations. If there is an SFT member default, NSCC would continue paying to and receiving from a non-defaulting SFT member the difference in market value of the underlying securities with respect to the novated SFTs until final settlement. By continuing to process the difference in market value, NSCC would maintain the non-defaulting SFT member in largely the same position as if the defaulting SFT member has not defaulted.

In addition, in the event an SFT member defaults, NSCC would have all the rights and obligations of the defaulting party, whether it was the lender or borrower in relation to such default-related SFTs. For example, if a borrower defaults, NSCC would assume all the rights of a lender and the defaulting borrower, and be able to issue a recall notice and conduct a buy-in in a commercially reasonable manner.[35] On the other hand, if a lender defaults, NSCC would be able to deliver a recall notice to a borrower to stop the final settlement date of a default-related SFT from being further delayed.

To the extent that an SFT default generates a loss larger than the resources that the defaulter has provided to NSCC, *i.e.,* its margin and the proceeds from its liquidated portfolio, NSCC's loss allocation rule would apply to all members including Sponsoring Members and Agent Clearing Members.[36]

Liquidity Risk. The proposal also describes how NSCC manages potential liquidity exposures arising from clearing SFT transactions. Currently, NSCC is required to hold sufficient liquidity resources to cover the largest settlement obligation stemming from the cleared CNS positions, assuming a member default. Under the proposal, NSCC's liquidity exposures would also include settlement obligation arising from SFT positions. Specifically, the liquidity obligations relating to SFT would include the daily market to market of the underlying securities as well as any final cash settlement obligation owed by the defaulting member.

To account for a potentially higher liquidity need as a result of the SFT expansion, NSCC is planning to utilize its current suite of qualifying liquidity resources, including the supplemental liquidity deposit. NSCC may collect supplemental liquidity deposits from members whose default would pose the largest liquidity exposure to NSCC.[37] Accordingly, such deposits may be used to address any heightened liquidity exposures stemming from clearing SFTs because the deposits, by design, act to cover the difference between a

[31] Like a Sponsoring Member, an Agent Clearing Member would be obligated to notify NSCC if it is no longer in compliance with the relevant standards and qualifications. NSCC would have a right to review Agent Clearing Members' financial and operational capability.

[32] Specifically, it would include the volatility charge, mark-to-market charge, special charge, margin required differential component charge, coverage component charge, and margin liquidity adjustment (''MLA'') charge set forth in NSCC's Rules, as well as charges for non-returned SFTs, which is similar to the charges that NSCC for CNS fails under its Rules. A further description of these charges is available in Procedure XV of NSCC's Rules and in the NSCC Disclosure. For the volatility charge, NSCC would consider the potential future exposure of a given portfolio based on historical price movements and the margin floor, and it would also determine margin to address the risk due to a high concentration level in a single stock (''gap risk''). For the MLA charge, NSCC would consider the risk when a member's portfolio contains large net unsettled positions in a particular group of securities with a similar risk profile or in a particular asset type, which could pose particular liquidation risk in the event of a default.

[33] *See supra* note 31.

[34] NSCC would be able to take actions listed above when NSCC ''ceases to act'' for an SFT member. The factors NSCC would consider in making the decision to cease to act include the member's suspension from any regulatory organization, failure to make a payment to NSCC, or other financial issues. *See* Rules 46 (Restrictions on Access to Service) and 18 (Procedures for When the Corporation Ceases to Act) of the Rules, *supra* note 6.

[35] The proposal would specify that in the case of a default-related SFT, the commercial reasonableness of a buy-in shall be determined by NSCC based on whether such buy-in would create a disorderly market in the relevant SFT security, consistent with the applicable market standard. *See supra* note 20.

[36] Specifically, under NSCC's loss allocation rule, NSCC would use its own capital (referred to as the ''Corporate Contribution'') and then allocate losses to members pro rata via rounds of cash calls. *See* Rule 4 (Clearing Fund) of the Rules, *supra* note 6.

[37] *See* Rule 4A (Supplemental Liquidity Deposits) of the Rules, *supra* note 6.

member's peak liquidity need and NSCC's liquidity resources.

III. Discussion and Commission Findings

Section 19(b)(2)(C) of the Act [38] directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder applicable to such organization. After carefully considering the proposed rule change, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to NSCC. In particular, the Commission finds that the proposed rule change is consistent with Sections 17A(b)(3)(F) [39] and (b)(3)(I) [40] of the Act and Rules 17Ad–22(e)(6), (e)(7), (e)(18), (e)(19), and (e)(21) [41] for the reasons described below.

A. Consistency With Section 17A(b)(3)(F) of the Act

Section 17A(b)(3)(F) of the Act [42] requires that the rules of a clearing agency, such as NSCC, be designed to, among other things, promote the prompt and accurate clearance and settlement of securities transactions; assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible; and foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

The Commission believes that the proposal is consistent with Section 17A(b)(3)(F) of the Act for the reasons stated below.

(1) Prompt and Accurate Clearance and Settlement

The Commission believes that NSCC's proposal to introduce the central clearing of SFTs is designed to promote the prompt and accurate clearance and settlement of securities transactions, and to protect investors and the public interest.

As described above in Section II.A., the proposal would create a new central clearing service for SFTs. Unlike bilateral transactions, NSCC as the central counterparty would become a counterparty to all novated trades, and in essence, replace multiple counterparties as one counterparty to a market participant. In turn, NSCC would be able to net a participant's transactions and offset delivery obligations and reduce the number of securities that need to be delivered on a settlement date. Central clearing would remove the bilateral exposures that are scattered among different market participants and consolidate them into a single net exposure with NSCC, which would increase operational efficiency and decrease trade processing. The Commission believes that, by novating and centrally clearing SFTs, the proposal is designed to promote the prompt and accurate clearance and settlement of securities.

(2) Fostering Cooperation

The Commission believes that NSCC's proposal to introduce the central clearing of SFTs is designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. As described above in Section II.B., the proposal is designed to allow the central clearing of SFTs to be accessible by a wide range of market participants. For example, the membership categories able to access the service would accommodate market participants' differing business models and regulatory requirements, and the accelerated settlement feature would allow members who need to quickly unwind SFTs to satisfy their applicable regulatory requirements when needed. NSCC represents that the proposal reflects the feedback of market participants requesting these features.[43] By designing the new SFT clearing service to be accessible, the proposal is designed to encourage more market participants to bring SFTs into central clearing from the bilateral market. And by allowing market participants to centrally clear and settle SFTs, the Commission believes that the proposal is designed to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

(3) Safeguarding of Securities and Funds

The Commission believes that NSCC's proposal to introduce the central clearing of SFTs is designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible.

As described in Section II.B.(3), NSCC proposes to manage risks associated with the new SFT central clearing service by collecting margin for each transaction and ensuring that it has sufficient resources to meet its liquidity needs. First, NSCC would manage its credit risk with respect to SFTs by requiring minimum margin deposits and applying specific aspects of its margin methodology to determine the appropriate margin to cover the risks posed by the SFTs, as well as by applying an additive margin component designed to address any high concentration risk posed by SFTs. When calculating margin, NSCC would not net SFT members' SFT positions with other CNS position, and NSCC also would not net across Sponsored Member accounts or Customer accounts, thereby collecting greater amounts of margin and improving NSCC's overall resilience. NSCC also would specify that a certain portion of margin be in cash and eligible Treasury clearing fund securities to protect against market risk of the collateral. Further, as described in Section II.B.(2), NSCC would apply activity limits to ensure that SFT members' financial resources are sufficient to meet their margin requirements.

Second, as described in Section II.B.(3), NSCC would include an SFT member's potential liquidity exposures as part of NSCC's potential liquidity need. This means that, if a member's SFT activity were to drive NSCC's potential liquidity need, that member would have to provide supplemental liquidity under NSCC's existing rules, to ensure that NSCC would maintain adequate resources to satisfy liquidity needs arising from its SFT settlement obligations.

Third, the proposal would provide a process to address SFT member defaults to allow NSCC to take timely action to contain losses and continue to meet its obligations. Specifically, NSCC would have a right to close out a defaulting member's positions, assume the rights of the non-defaulting party in relation to such default-related SFTs, and apply its loss allocation procedure if the defaulting member's resources are insufficient to cover a loss.[44]

Taken together, these risk management procedures should minimize the likelihood that losses arising out of an SFT member default would exceed NSCC's prefunded resources and threaten the safety and soundness of NSCC's ongoing operations. Accordingly, the Commission believes that the proposal is designed to assure the safeguarding of

[38] 15 U.S.C. 78s(b)(2)(C).

[39] 15 U.S.C. 78q–1(b)(3)(F).

[40] 15 U.S.C. 78q–1(b)(3)(I).

[41] 17 CFR 240.17Ad–22(e)(6), (e)(7), (e)(18), (e)(19), and (e)(21).

[42] 15 U.S.C. 78q–1(b)(3)(F).

[43] *See* Notice of Filing, *supra* note 3, at 23374.

[44] *See supra* note 36.

securities and funds which are in NSCC's custody or control.[45]

B. Consistency With Rule 17Ad–22(e)(6)(i)

Rule 17Ad–22(e)(6)(i) under the Exchange Act requires that NSCC establish, implement, maintain and enforce written policies and procedures reasonably designed to cover its credit exposures to its participants by establishing a risk-based margin system that, at a minimum, considers, and produces margin levels commensurate with, the risks and particular attributes of each relevant product, portfolio, and market.[46]

As described above in Section II.B.(3)(i), NSCC proposes to establish margin requirements to cover its credit exposures to the SFT members. First, NSCC proposes to collect margin from SFT members, including the application of both a minimum margin amount and of NSCC's existing margin system that contains multiple component charges designed to cover various types of risk and meet applicable regulatory requirements.[47] Second, NSCC would apply more conservative approaches to the calculation of SFT, as compared to NSCC's existing margin system. For example, unlike the current calculation of the volatility of a member's net unsettled positions, NSCC would apply a more stringent method to address risks associated with issuer-specific events affecting the price of the concentrated security within the SFT portfolio, and risk associated with liquidating a defaulted SFT member's portfolio with a large position by asset class, relative to market-wide liquidity.[48] Further, NSCC would not net SFTs against other equity transactions at NSCC when determining margin requirements, to ensure that margins associated with SFTs would not be reduced by other equity transactions outside of the SFTs. Separately, it would collect margin on a gross basis for different Sponsored Members or different Customers, thereby accounting and collecting margin for each individual Sponsored Member and Customer.

Because NSCC applies its risk-based margin methodology, tailored to address SFTs, the Commission believes that the proposal is reasonably designed to cover NSCC's credit exposures from SFT members and consistent with Rules 17Ad–22(e)(6)(i).

C. Consistency With Rule 17Ad–22(e)(7)

Rule 17Ad–22(e)(7)(i) under the Exchange Act requires that NSCC establish, implement, maintain and enforce written policies and procedures reasonably designed to effectively measure, monitor, and manage the liquidity risk that arises in or is borne by the covered clearing agency, including measuring, monitoring, and managing its settlement and funding flows on an ongoing and timely basis, and its use of intraday liquidity by, at a minimum maintaining sufficient liquid resources at the minimum in all relevant currencies to effect same-day and, where appropriate, intraday and multiday settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions.[49]

As described above in Section II.B.(3)(ii), when calculating its liquidity need, in addition to liquidity exposures relating to other equity positions, NSCC would include all the differences in market value of the underlying securities owed by a defaulting SFT member in the event an SFT member defaults, as well as all novated open SFT transactions of a defaulting SFT. This determination of the liquidity need is designed to ensure that NSCC would cover any liquidity need associated with its final settlement obligations to non-defaulting SFT members and members. NSCC currently relies on various liquidity resources, all of which would be available in the event of a liquidity shortfall relating to SFTs. The Commission believes that NSCC's existing liquidity risk management framework, including NSCC's ability to collect supplemental liquidity if a member's activity, including its SFT activity, increases NSCC's liquidity need,[50] would be sufficient to ensure that NSCC would continue to meet its regulatory obligations.

The Commission believes that NSCC's proposal to manage its potential liquidity exposures associated with SFTs by using its established liquidity resources is reasonably designed to manage the liquidity risk that may arise in the SFT central clearing service, and consistent with Rule 17Ad–22(e)(7)(i).[51]

D. Consistency With Rule 17Ad–22(e)(18)

Rule 17Ad–22(e)(18) under the Exchange Act requires that NSCC establish, implement, maintain and enforce written policies and procedures reasonably designed to establish objective, risk-based, and publicly disclosed criteria for participation, which permit fair and open access by direct and, where relevant, indirect participants and other financial market utilities, require participants to have sufficient financial resources and robust operational capacity to meet obligations arising from participation in the clearing agency, and monitor compliance with participation requirements on an ongoing basis.[52]

First, the Commission believes that the proposal is reasonably designed to establish objective, risk-based, and publicly-disclosed criteria for SFT members. As described above, all members would be eligible to apply to become Sponsoring Members or Agent Clearing Members subject to such criteria, similar to how NSCC currently provides membership criteria for its members. For example, if a Sponsoring

[45] A large number of commenters expressed concerns that the proposal is designed to exclusively benefit large institutions by obscuring and facilitating negligent risky behavior, and the proposal would hamper a fair and transparent market. *See, e.g.,* Letters from David Lincoln and from Joe Jacobs, dated April 19, 2022. The commenters' concerns generally rely on the premise that SFTs are designed to promote short sales and potentially naked short sales that such commenters believe should be illegal. *See, e.g.,* Letters from Jack Sarken and Duncan Stanley, dated April 19, 2022. Any SFTs that would be cleared as part of the proposed service are transactions that occur bilaterally today, and the proposal does not impact Commission rules applicable to short sales. Because this proposal is not addressing short sales, and is designed to reduce risks associated with bilateral SFTs, the Commission believes that the commenters' concerns related to short sales are outside the scope of the proposed rule change.

[46] 17 CFR 240.17Ad–22(e)(6)(i).

[47] *See supra* note 32.

[48] *See id.*

[49] 17 CFR 240.17Ad–22(e)(7)(i).

[50] NSCC is required to have policies and procedures reasonably designed to monitor and manage its liquidity risk by maintaining sufficient liquid resources at the minimum to effect settlement of payment obligations with a high degree of confidence under a wide range of foreseeable stress scenarios that includes, but is not limited to, the default of the participant family that would generate the largest aggregate payment obligation for the covered clearing agency in extreme but plausible market conditions, and by determining that amount and regularly testing the sufficiency of its liquidity resources. 17 CFR 240.17Ad–22(e)(7)(i) and (vi). Pursuant to this regulatory requirement, NSCC's Liquidity Risk Management Framework outlines NSCC's liquidity resources and liquidity risk management practices. *See* Securities Exchange Act Release No. 82377 (December 21, 2017), 82 FR 61617 (December 28, 2017).

One such liquidity resource is NSCC's supplemental liquidity deposit, which is designed to withstand NSCC's fluctuating peak liquidity needs and source adequate liquidity at all times. To do so, NSCC allocates a funding obligation to those members driving peak liquidity needs that surpass NSCC's available liquidity resources through SLDs. *See* Securities Exchange Act Release No. 71000 (December 5, 2013), 78 FR 75400 (December 11, 2013).

[51] 17 CFR 240.17Ad–22(e)(7)(i).

[52] 17 CFR 240.17Ad–22(e)(18).

or Agent Clearing Member applicant is a registered broker-dealer, it would be subject to particular financial resource requirements, as specified in the proposed rule. Only a qualified institutional buyer or a legal entity that satisfies the financial requirements necessary to be a qualified institutional buyer would be eligible to be a Sponsored Member. In addition, an applicant must provide adequate assurances for its financial responsibility and operational capability.

Second, the proposal is reasonably designed to allow direct and indirect participants to access the new SFT central clearing service by establishing new membership categories to allow for such access by particular types of market participants. For example, a participant who cannot or does not want to meet the requirements to become either a member, a Sponsoring Member, or an Agent Clearing Member can participate as a Sponsored Member or as a Customer, the latter of which does not have a direct relationship with NSCC.

Third, the proposal is reasonably designed to allow NSCC to monitor compliance with participation requirements on an ongoing basis. The proposal would require an SFT member to notify NSCC if it is no longer in compliance with applicable requirements to be an SFT member, and allow NSCC to inspect SFT members' financial resources and operational capability on an ongoing basis.

For the foregoing reasons, the Commission believes that the proposal is consistent with Rule 17Ad–22(e)(18).[53]

E. Consistency With Rule 17Ad–22(e)(19)

Rule 17Ad–22(e)(19) under the Exchange Act requires a covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to identify, monitor, and manage the material risks to the covered clearing agency arising from arrangements in which firms that are indirect participants in the covered clearing agency rely on the services provided by direct participants to access the covered clearing agency's payment, clearing, or settlement facilities.[54]

The proposal allows Sponsoring Members to submit Sponsored Members' transactions to NSCC, and Agent Clearing Members to submit its Customers' transactions to NSCC. In both cases, Sponsoring Members and Agent Clearing Members would be ultimately responsible to NSCC for Sponsored Members' and Customers' transactions and liable to satisfy all settlement obligations. Both Sponsoring Members and Agent Clearing Members serve as the processing agent for all the Sponsored Member and Customer transactions responsible for posting margin and satisfying any losses arising from the client transactions. Sponsoring Members and Customers do not have any direct mechanism to submit their own margin or settle transactions directly with NSCC. Moreover, even though Sponsored Members would be principally liable for their own settlement obligations, Sponsoring Members' guaranty requires Sponsoring Members to satisfy settlement obligations on behalf of its Sponsored Members.

By calculating and collecting margins for Sponsored Members' and Customers' transactions and providing certainty that Sponsoring Members and Agent Clearing Members would be responsible for their Sponsored Members' and Customers' transactions, the Commission believes that the proposal is consistent with Rule 17Ad–22(e)(19).[55]

F. Consistency With Rule 17Ad–22(e)(21)

Rule 17Ad–22(e)(21) under the Exchange Act requires a covered clearing agency to establish, implement, maintain, and enforce written policies and procedures reasonably designed to be efficient and effective in meeting the requirements of its participants and the markets it serves, including the clearing agency's clearing and settlement arrangements and the scope of products cleared or settled.[56]

As described above in Section II.B.(1) and (2), the proposal is designed to reflect the current structure of the bilateral securities lending market, ensuring that relevant features and market participants subject to differing regulatory requirements and existing contractual relationships can be accommodated as part of the service provided by NSCC. For example, the proposal would allow for central clearing of SFTs with a one business day term, in order to provide a scheduled settlement date so that the transaction may be eligible for balance sheet netting benefit as explained in Section II.(B)(1). Second, the proposal would allow accelerated settlement so that certain market participants are able to quickly unwind their SFTs to satisfy applicable regulatory requirements. Third, the proposed membership categories would accommodate principal and agency trading to allow different types of market participants to enter into the new SFT central clearing service, consistent with their business models and applicable regulatory requirements.

Accordingly, the Commission believes that the proposal is reasonably designed to be efficient and effective in meeting the requirements of its participants and the market it serves, and consistent with Rule 17Ad–22(e)(21).[57]

VI. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act[58] and the rules and regulations promulgated thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act[59] that proposed rule change SR–NSCC–2022–003, be, and hereby is, APPROVED.[60]

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[61]

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2022–12009 Filed 6–3–22; 8:45 am]

BILLING CODE 8011–01–P

[53] *Id.*

[54] 17 CFR 240.17Ad–22(e)(19).

[55] *Id.*

[56] 17 CFR 240.17Ad–22(e)(21).

[57] *Id.*

[58] 15 U.S.C. 78q–1.

[59] 15 U.S.C. 78s(b)(2).

[60] In approving the proposed rule change, the Commission considered the proposals' impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f). *See also* Section II.B.

[61] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

TIME AND DATE: 10:30 a.m. on Thursday, June 9, 2022.

PLACE: The meeting will be held via remote means and/or at the Commission's headquarters, 100 F Street NE, Washington, DC 20549.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

In the event that the time, date, or location of this meeting changes, an

announcement of the change, along with the new time, date, and/or place of the meeting will be posted on the Commission's website at *https://www.sec.gov.*

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (6), (7), (8), 9(B) and (10) and 17 CFR 200.402(a)(3), (a)(5), (a)(6), (a)(7), (a)(8), (a)(9)(ii) and (a)(10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting will consist of the following topics:

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings;

Resolution of litigation claims; and

Other matters relating to examinations and enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting agenda items that may consist of adjudicatory, examination, litigation, or regulatory matters.

CONTACT PERSON FOR MORE INFORMATION: For further information; please contact Vanessa A. Countryman from the Office of the Secretary at (202) 551–5400.

(Authority: 5 U.S.C. 552b.)

Dated: June 2, 2022.

Vanessa A. Countryman,

Secretary.

[FR Doc. 2022–12247 Filed 6–2–22; 4:15 pm]

BILLING CODE 8011–01–P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of persons whose property and interests in property have been unblocked and have been removed from the list of Specially Designated Nationals and Blocked Persons.

DATES: See **SUPPLEMENTARY INFORMATION** section for effective date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Andrea Gacki, Director, tel.: 202–622–2490; Associate Director for Global Targeting, tel: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The Specially Designated Nationals and Blocked Persons List (SDN List) and additional information concerning OFAC sanctions programs are available on OFAC's website (*https://www.treasury.gov/ofac*).

Notice of OFAC Actions

On May 27, 2022, OFAC determined that the property and interests in property subject to U.S. jurisdiction of the following persons are unblocked and they have been removed from the SDN List.

Individuals

1. ALVAREZ MONTELONGO, Julio Cesar (a.k.a. ALVAREZ, Julion), Paseo de la Hacienda 443, Fracc. Los Mangos, Mazatlan, Sinaloa, Mexico; Ontario 1102, Col. Providencia, Guadalajara, Jalisco 44630, Mexico; Coras 3644, Col. Monraz, Guadalajara, Jalisco 44670, Mexico; Av. Manuel Acuna 3497, Col. Rinconada Santa Rita, Guadalajara, Jalisco 44690, Mexico; DOB 11 Apr 1983; POB La Concordia, Chiapas, Mexico; citizen Mexico; website *www.julionalvarez.net;* Gender Male; R.F.C. AAMJ8304112F0 (Mexico); C.U.R.P. AAMJ830411HCSLNL05 (Mexico) (individual) [SDNTK] (Linked To: JCAM EDITORA MUSICAL, S.A. DE C.V.; Linked To: NORYBAN PRODUCTIONS, S.A. DE C.V.; Linked To: TICKET BOLETO, S.A. DE C.V.; Linked To: FLORES DRUG TRAFFICKING ORGANIZATION).

2. CUELLAR HURTADO, Hugo, Av. Artesanos 1498, Colonia Oblatos, Zapopan, Jalisco, Mexico; Calle Paseo de la Pradera 23, Fraccionamiento Royal Country, Zapopan, Jalisco, Mexico; Kr 76 173 45 In 4, Bogota, Colombia; Trv 176 N 56 25, Bogota, Colombia; DOB 18 May 1947; POB Florencia, Caqueta, Colombia; Cedula No. 17622278 (Colombia); C.U.R.P. CUHH470518HNELRG00 (Mexico) (individual) [SDNTK] (Linked To: AGRICOLA Y GANADERA CUEMIR, S.P.R. DE R.I.; Linked To: AGRO Y COMERCIO DE SANTA BARBARA LAGROMER S. EN C.; Linked To: COMPANIA AGRO COMERCIAL CUETA S. EN C.; Linked To: COOPERATIVA AVESTRUZ CUEMIR, S.C. DE R.L. DE C.V.; Linked To: INVERSIONES HUNEL LTDA.; Linked To: CASA COMERCIAL UNI QUINCE COMPRAVENTA).

3. CUELLAR SILVA, Victor Hugo; DOB 18 Oct 1985; POB Bogota, Colombia; Cedula No. 1032359750 (Colombia) (individual) [SDNTK] (Linked To: AGRO Y COMERCIO DE SANTA BARBARA LAGROMER S. EN C.; Linked To: COMPANIA AGRO COMERCIAL CUETA S. EN C.; Linked To: INVERSIONES HUNEL LTDA.; Linked To: HOTEL PARAISO RESORT EN ARRENDAMIENTO; Linked To: PRENDA TODO, S.A. DE C.V.).

4. CUELLAR SILVA, Jenny Johanna, Avenida Mexico 3335, Vallarta San Jorge, Guadalajara, Jalisco 44690, Mexico; Clle 57 N 24 72, Bogota, Colombia; Cometa # 2910, Col. Jardines del Bosque, Guadalajara, Jalisco 44520, Mexico; Prados de los Lirios # 4142, Casa 6, Col. Prados Tepeyac, Zapopan, Jalisco 45050, Mexico; DOB 11 Jul 1980; POB Florencia, Caqueta, Colombia; Cedula No. 52708729 (Colombia) (individual) [SDNTK] (Linked To: AGRO Y COMERCIO DE SANTA BARBARA LAGROMER S. EN C.; Linked To: COMPANIA AGRO COMERCIAL CUETA S. EN C.; Linked To: INVERSIONES HUNEL LTDA.; Linked To: PRENDA TODO, S.A. DE C.V.).

5. MIRAMONTES GUTIERREZ, Ofelia Margarita, Calle Paseo del Ocelote 161, Fraccionamiento Bugambilias, Zapopan, Jalisco, Mexico; DOB 24 Apr 1968; POB Guadalajara, Jalisco, Mexico; C.U.R.P. MIGO680424MJCRTF03 (Mexico) (individual) [SDNTK] (Linked To: AGRICOLA Y GANADERA CUEMIR, S.P.R. DE R.I.; Linked To: COOPERATIVA AVESTRUZ CUEMIR, S.C. DE R.L. DE C.V.).

6. VARGAS NUNEZ, Lucy Amparo (a.k.a. VARGAS DE CUADROS, Lucy Amparo), Kra 3 N 2B–22, Barrio Los Amigos, El Colegio, Cundinamarca, Colombia; DOB 26 Mar 1958; POB San Pedro, Valle, Colombia; Cedula No. 38858512 (Colombia) (individual) [SDNTK] (Linked To: AGRO Y COMERCIO DE SANTA BARBARA LAGROMER S. EN C.; Linked To: COMPANIA AGRO COMERCIAL CUETA S. EN C.; Linked To: INVERSIONES HUNEL LTDA.).

Entities

1. JCAM EDITORA MUSICAL, S.A. DE C.V., Mazatlan, Sinaloa, Mexico; Av. Manuel Acuna 3497, Terrazas Monraz, Guadalajara, Jalisco 44670, Mexico; Folio Mercantil No. 19365 (Sinaloa) (Mexico) [SDNTK].

2. NORYBAN PRODUCTIONS, S.A. DE C.V., Mazatlan, Sinaloa, Mexico; Av. Gutierrez Najera 104 Altos, Centro, Mazatlan, Sinaloa 82000, Mexico; Coras 3644, Guadalajara, Jalisco 44670, Mexico; Calle Manuel Acuna 3497, Col. Santa Rita, Guadalajara, Jalisco 44690, Mexico; Ontario 1102, Col. Providencia, Guadalajara, Jalisco 44630, Mexico; R.F.C. NPR0903058I3 (Mexico); Folio Mercantil No. 18949 (Sinaloa) (Mexico) [SDNTK].

3. TICKET BOLETO, S.A. DE C.V., Guadalajara, Jalisco, Mexico; Folio Mercantil No. 88198 (Jalisco) (Mexico) [SDNTK].

4. AGRICOLA Y GANADERA CUEMIR, S.P.R. DE R.I. (a.k.a. RANCHO LA HERRADURA CUEMIR), Av. Prolongacion Vallarta No. 600, Zona Centro, Tlajomulco de Zuniga, Jalisco C.P. 45640, Mexico; Folio Mercantil No. 17919–1 (Mexico) [SDNTK].

5. AGRO Y COMERCIO DE SANTA BARBARA LAGROMER S. EN C., Cl 57 No. 24–72 Of 102 P 2, Bogota, Colombia; NIT # 800016670–7 (Colombia) [SDNTK].

6. CASA COMERCIAL UNI QUINCE COMPRAVENTA, Av. 15 No. 124–09 LC 102, Bogota, Colombia; Matricula Mercantil No 00666561 (Colombia) [SDNTK].

7. COMPANIA AGRO COMERCIAL CUETA S. EN C., Cl 57 No. 24–72 Local 102, Bogota, Colombia; NIT # 800007394–0 (Colombia) [SDNTK].

8. COOPERATIVA AVESTRUZ CUEMIR, S.C. DE R.L. DE C.V., Av. Prolongacion Vallarta No. 600 A, Zona Centro, Tlajomulco de Zuniga, Jalisco C.P. 45640, Mexico; Folio Mercantil No. 42877–1 (Mexico) [SDNTK].

9. HOTEL PARAISO RESORT EN ARRENDAMIENTO, Calle 3 No. 1–33/17, Rivera, Huila, Colombia; Matricula Mercantil No 0000104026 (Colombia) [SDNTK].

10. INVERSIONES HUNEL LTDA., Cl 57 No. 24–72, Bogota, Colombia; NIT # 800223039–6 (Colombia) [SDNTK].

11. PRENDA TODO, S.A. DE C.V. (a.k.a. CASA DE EMPENO PRENDA TODO), Andador Medrano 2845, Guadalajara Centro, Guadalajara, Jalisco 44100, Mexico; Medrano # 2845, Col. San Andres, Guadalajara, Jalisco C.P. 44410, Mexico; Zacarias Rubio No. 1609, San Miguel de Huentitan El Alto, Guadalajara, Jalisco 44780, Mexico; R.F.C. PTO000504DM5 (Mexico); Folio Mercantil No. 4495–1 (Mexico) [SDNTK].

Dated: May 27, 2022.

Gregory T. Gatjanis,

Associate Director, Office of Global Targeting, Office of Foreign Assets Control, U.S. Department of the Treasury.

[FR Doc. 2022–11847 Filed 6–3–22; 8:45 am]

BILLING CODE P

DEPARTMENT OF THE TREASURY

Agency Information Collection Activities; Submission for OMB Review; Comment Request; State Small Business Credit Initiative

AGENCY: Departmental Offices, U.S. Department of the Treasury.

ACTION: Notice.

SUMMARY: The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

DATES: Comments should be received on or before July 6, 2022 to be assured of consideration.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function.

FOR FURTHER INFORMATION CONTACT: Copies of the submissions may be obtained from Spencer W. Clark by emailing *PRA@treasury.gov,* calling (202) 927–5331, or viewing the entire information collection request at *www.reginfo.gov.*

SUPPLEMENTARY INFORMATION:

Departmental Offices (DO)

Title: State Small Business Credit Initiative.

OMB Control Number: 1505–0227.

Type of Review: Revision of a currently approved collection.

Description: Section 3301 of the American Rescue Plan Act of 2021, codified at 12 U.S.C. 5701 *et seq.* (''the SSBCI statute'') provides $10 billion for the Department of the Treasury (Treasury) to make payments to states of the United States, the District of Columbia, U.S. Territories (Puerto Rico, U.S. Virgin Islands, Guam, Northern Mariana Islands, and American Samoa), and Tribal governments (collectively, ''eligible jurisdictions'') to help address the economic fallout from the pandemic and lay the foundation for a strong and equitable recovery by providing direct support to eligible jurisdictions for programs that increase access to credit for small businesses. Specifically, ARPA provided $9.5 billion to fund small business credit and investment programs of eligible jurisdictions and $500 million for technical assistance (TA) to qualifying small businesses. Treasury intends to award $200 million of the $500 million in federal grants to eligible jurisdictions that submit a complete SSBCI capital program application by the relevant deadlines (''eligible recipients'') for the provision of legal, accounting, and financial advisory services to qualifying small businesses (TA Grant Program).

Form: None.

Affected Public: State, Territorial and Tribal Governments.

Estimated Number of Respondents: 500.

Frequency of Response: Once, On Occasion, Annually, Quarterly.

Estimated Total Number of Annual Responses: 177,000.

Estimated Time per Response: Varies by response type.

Estimated Total Annual Burden Hours: 46,850.

(Authority: 44 U.S.C. 3501 *et seq.*)

Spencer W. Clark,

Treasury PRA Clearance Officer.

[FR Doc. 2022–12000 Filed 6–3–22; 8:45 am]

BILLING CODE 4810–AK–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0495]

Agency Information Collection Activity Under OMB Review: Martial Status Questionnaire

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995, this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, will submit the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and it includes the actual data collection instrument.

DATES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to *www.reginfo.gov/public/do/PRAMain.* Find this particular information collection by selecting ''Currently under 30-day Review—Open for Public Comments'' or by using the search function. Refer to ''OMB Control No. 2900–0495.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–0495'' in any correspondence.

SUPPLEMENTARY INFORMATION:

Authority: Public Law 116–315, 38 U.S.C. 101(3) and 38 U.S.C. 103.

Title: Marital Status Questionnaire (VA Form 21P–0537).

OMB Control Number: 2900–0495.

Type of Review: Revision of a currently approved collection.

Abstract: VA Form 21P–0537, Marital Status Questionnaire, is used to confirm the marital status of a surviving spouse in receipt of Dependency and Indemnity Compensation (DIC) benefits. If a surviving spouse remarries, he or she is no longer entitled to DIC unless the marriage began after age 55 or has been terminated. This is a revision. The respondent burden has decreased due to the estimated number of receivables averaged over the past year, no substantive changes have been made to the form. The estimated number of

receivables has been estimated from receivables through mail automation as well as data pulled from a document count of VA Form 21P–0537. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published at 87 FR 18075 on March 29, 2022, pages 18075 and 18076.

Affected Public: Individuals and households.

Estimated Annual Burden: 229.67 hours.

Estimated Average Burden per Respondent: 5 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 2,756 per year.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2022–12049 Filed 6–3–22; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–NEW]

Agency Information Collection Activity: Authorization To Disclose Personal Information to a Third Party—Education Benefits

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: Veterans Benefits Administration, Department of Veterans Affairs (VA), is announcing an opportunity for public comment on a new collection of information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each new collection of information, and allow 60 days for public comment in response to the notice.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before August 5, 2022.

ADDRESSES: Submit written comments on the collection of information through Federal Docket Management System (FDMS) at *www.Regulations.gov* or to Nancy J. Kessinger, Veterans Benefits Administration (20M33), Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to *nancy.kessinger@va.gov.* Please refer to ''OMB Control No. 2900–NEW'' in any correspondence. During the comment period, comments may be viewed online through FDMS.

FOR FURTHER INFORMATION CONTACT: Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266–4688 or email *maribel.aponte@va.gov.* Please refer to ''OMB Control No. 2900–NEW'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Authority: 38 CFR 1.526(a) and 38 CFR 1.576(b).

Title: Authorization to Disclose Personal Information to a Third Part—Education Benefits.

OMB Control Number: 2900–NEW.

Type of Review: New Information Collection (ICR).

Abstract: VA Form 22–10278 is used to release information in its custody or control in the following circumstances: where the individual identifies the particular information and consents to its use; for the purpose for which it was collected or a consistent purpose (*i.e.,* a purpose which the individual might have reasonably expected). By law, VA must have a claimants or beneficiary's written permission (an ''authorization'') to use or give out claim or benefit information for any purpose that is not contained in VA's System of Records, 58VA21/22/28 Compensation, Pension, Education and Veteran Readiness and Employment Records—VA. The claimant or beneficiary may revoke the authorization at any time, except if VA has already acted based on the claimant's permission.

Affected Public: Individuals or Households.

Estimated Annual Burden: 1,667 hours.

Estimated Average Burden Time per Respondent: 5 minutes.

Frequency of Response: Once.

Estimated Number of Respondents: 20,000.

By direction of the Secretary.

Maribel Aponte,

VA PRA Clearance Officer, Office of Enterprise and Integration/Data Governance Analytics, Department of Veterans Affairs.

[FR Doc. 2022–12106 Filed 6–3–22; 8:45 am]

BILLING CODE 8320–01–P



FEDERAL REGISTER

Vol. 87 Monday,
No. 108 June 6, 2022

Part II

Federal Reserve System

12 CFR Part 210
Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire; Final Rule

FEDERAL RESERVE SYSTEM

12 CFR Part 210

Regulation J; Docket No. R–1750

RIN 7100–AG 16

Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire

AGENCY: Board of Governors of the Federal Reserve System (Board).

ACTION: Final rule.

SUMMARY: The Board is publishing final amendments to Regulation J to govern funds transfers through the Federal Reserve Banks' (Reserve Banks) new FedNow℠ Service. The final rule also includes changes and clarifications to regulations governing the Fedwire Funds Service, to reflect the fact that the Reserve Banks will be operating a second funds transfer service in addition to the Fedwire Funds Service, as well as technical corrections to regulations governing the check service.

DATES: Effective October 1, 2022.

FOR FURTHER INFORMATION CONTACT: Jess Cheng, Senior Counsel (202) 452–2309, Gavin L. Smith, Senior Counsel (202) 452–3474, Legal Division, or Ian C.B. Spear, Assistant Director (202) 452–3959, Kirstin E. Wells, Principal Economist (202) 452–2962, Division of Reserve Bank Operations and Payment Systems; for users of telephone systems via text telephone (TTY) or any TTY-based Telecommunications Relay Services (TRS), please call 711 from any telephone, anywhere in the United States; Board of Governors of the Federal Reserve System, 20th and C Streets NW, Washington, DC 20551.

SUPPLEMENTARY INFORMATION:

I. Background

Regulation J (12 CFR part 210) provides the legal framework for the collection and return of checks through the Federal Reserve System (subpart A) and specifies terms and conditions governing funds transfers over the Fedwire Funds Service (subpart B). The Reserve Banks are developing a new interbank 24x7x365 real-time gross settlement service with integrated clearing functionality, called the FedNow Service, to support instant payments in the United States. In August 2020, the Board issued a **Federal Register** notice describing the details of the FedNow Service (the 2020 Notice).[1] Subpart B would not apply to transfers over the FedNow Service, which will be a separate funds transfer service operated by the Reserve Banks.

II. Overview of Proposal and Comments

In June 2021, the Board published a notice of proposed rulemaking to establish a new subpart C of Regulation J to govern funds transfers made through the FedNow Service and amend the title of the regulation (the 2021 Notice).[2] The proposed new subpart C of Regulation J specifies the terms and conditions under which Reserve Banks will process funds transfers over the FedNow Service. Proposed subpart C would also grant the Reserve Banks authority to issue an operating circular for the FedNow Service, which would detail more specific terms and conditions governing the FedNow Service consistent with the proposed subpart. As it did for subpart B of the regulation, the Board also proposed to adopt a commentary to subpart C that would constitute a Board interpretation of the regulation. Finally, the proposal included technical changes and clarifications to subpart B of Regulation J to reflect the fact that the Reserve Banks will be operating two funds transfer services, as well as technical corrections to subpart A of the regulation.

The Board received 31 substantive comments from a variety of commenters, including small and midsize banks, large banks, individuals, consumer organizations, service providers and processors, private-sector operators, trade organizations, and other interested parties. Overall, financial industry commenters broadly supported the Board's proposal, noting in particular that it would provide legal clarity and certainty to foundational aspects of the FedNow Service. Some commenters offered suggestions for the final rule, as detailed below. Consumer associations and certain academics opposed aspects of the proposal for various reasons that went beyond the Board's proposed rulemaking, namely citing their view that consumer protections for instant payments are insufficiently covered by the Electronic Fund Transfer Act (EFTA) and its implementing regulation, which is issued by and within the jurisdiction of the Consumer Financial Protection Bureau. The Board has considered all comments received and has adopted amendments to Regulation J as described below.

A. Subparts A and B

The Board proposed minor changes to Regulation J to make clarifying amendments to subpart B and technical corrections in subpart A. The Board did not receive any comments on these proposed amendments and has adopted the amendments as proposed.

B. Application of UCC Article 4A to All Transfers Over the FedNow Service

Proposed subpart C incorporates those provisions of Article 4A of the Uniform Commercial Code (UCC) that are not inconsistent with the provisions set forth expressly in the subpart. UCC Article 4A, which has been adopted in all 50 states, provides comprehensive rules governing the rights and responsibilities of the parties to funds transfers. Proposed subpart C provides that the provisions of UCC Article 4A apply to all transfers over the FedNow Service, even those that might meet the definition of an ''electronic fund transfer'' under the EFTA; however, in the event of an inconsistency between the provisions of subpart C and the EFTA, the EFTA would prevail to the extent of the inconsistency. For example, a funds transfer may be initiated from a consumer's account at a depository institution, and the depository institution may execute that payment order by sending a conforming payment order to a Reserve Bank through the FedNow Service. If that transfer is subject to the EFTA, then the depository institution would be required to comply with the EFTA and the applicable provisions of the EFTA would govern the institution's obligations to its customer.

Nine commenters, including two trade associations, stated that the Board's proposal should include additional examples where potential conflicts between the EFTA and UCC Article 4A are likely to arise, as well as prescribe how ambiguities should be resolved. Seven commenters, including a trade association and a group of consumer organizations (the ''consumer group letter''), generally did not support the Board's proposal with respect to applying UCC Article 4A to all transfers over the FedNow Service, including those transfers subject to the EFTA. Commenters stated that it would be too burdensome to interpret and compare differences between the EFTA and UCC Article 4A if both were to apply; rather, only the EFTA and supplemental FedNow terms of service should apply to consumer fund transfers, with the application of UCC Article 4A reserved for funds transfers that are not governed by the EFTA. One commenter requested

[1] ''Service Details on Federal Reserve Actions To Support Interbank Settlement of Instant Payments,'' 85 FR 48522 (Aug. 11, 2020).

[2] ''Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire,'' 86 FR 31376 (Jun. 11, 2021).

that the Board acknowledge that the application of UCC Article 4A to consumer transfers is not the only means of providing a consistent, predictable, and clear legal framework for payment systems. Certain commenters raised concerns that because UCC Article 4A provides that most of its provisions may be varied by agreement of the affected parties, contracts between banks and consumers may vary and lack adequate consumer protections.

The Board has considered the comments received and has adopted § 210.40 largely as proposed. The Board believes that the benefits of the proposed approach outweigh the potential burdens mentioned by the commenters. In particular, by incorporating UCC Article 4A and providing that its provisions apply to all transfers over the FedNow Service, proposed subpart C confers important rights upon financial institutions that use the service, such as protection from consequential damages liability (unless they are provided for in an express written agreement) if an issue occurs in relation to a transfer over the FedNow Service. This protection would help allow FedNow participants to offer instant payment services at lower costs and with greater speed. The Board recognizes that other instant payment services might choose different approaches with respect to the rules that govern their systems.

The Board does not believe that the application of the provisions of UCC Article 4A to all transfers over the FedNow Service would result in contracts between banks and consumers that lack adequate consumer protections. As explained in the 2021 Notice, the proposal provides a clear, predictable, and comprehensive set of interbank rules for all funds transfers over the FedNow Service, while being consistent with the EFTA. Although UCC Article 4A, as incorporated by subpart C, provides that most, but not all, of its provisions may be varied by agreement of the affected parties, banks must nevertheless comply with requirements under other applicable law that, unlike UCC Article 4A, cannot be varied by agreement, such as applicable consumer protection requirements under the EFTA.

Finally, the Board appreciates comments regarding the challenges a FedNow participant may face in assessing the various laws that may apply to a transfer over the FedNow Service. In response to these comments, the Board has revised the commentary to proposed § 210.40 in the final rule with an additional example of how a transfer a portion of which is governed by the EFTA may also be governed by subpart C.[3] Otherwise, the Board has adopted § 210.40 as proposed.

C. Immediate Funds Availability

The FedNow Service is designed for the end-to-end transfer to be completed in a matter of seconds, as described in the 2020 Notice. This means that the beneficiary's bank would agree, as provided in proposed subpart C, that it will make funds available to the beneficiary immediately after it has accepted the payment order. The Board specifically requested comment on whether subpart C should set out specific time parameters to clarify the meaning of ''immediately'' as used in this funds availability requirement and, if so, whether a timeframe of within seconds or, alternatively, within one minute after the bank has accepted the payment order would be reasonable.

Eight commenters stated that the Board should define the timing parameters of an instant payment in Regulation J and, in particular, specify that time period to be within ten seconds. Other commenters suggested the timing parameters should be consistent with other instant payment providers, or if a definition is not workable for all providers, then the Board should postpone defining the timing parameters until more information can be gathered. Ten commenters supported not defining ''immediately'' in the regulation but instead conveying the general intent of a real time, end-to-end completion. Some of these commenters argued it would be premature to define ''immediately'' and more information is needed regarding the operational aspects of processing transactions over the service. Among the commenters who stated that the Board should not define timing parameters in the regulation, some believed that the operating circulars issued by the Reserve Banks governing the service would be the more appropriate place to have such specificity, while still providing the flexibility to update and change the time frame as instant payments evolve. One commenter noted the importance of having sufficient time to determine whether to accept a payment order, and two other commenters suggested changing the definition of when acceptance of a payment order occurs for purposes of measuring ''immediately'' rather than incorporating UCC Article 4A's approach.

The Board has considered the comments regarding specific time parameters to clarify the meaning of ''immediately'' as used in this funds availability requirement and believes that on balance, the regulation does not need to contain specific time parameters in a definition at this time. Rather, the Board believes that establishing the requirement in Regulation J that a beneficiary's bank using the FedNow Service must make funds available ''immediately'' is sufficient to convey the need to make funds available in real time. As the instant payment industry evolves, the time period of what is considered immediate may continue to evolve and not specifying a particular time frame in the regulation will allow necessary flexibility in the future. As such, the Board is not adopting a time period in the final rule to define the meaning of ''immediately'' as used in the funds availability requirement.

D. Additional Time To Determine Whether To Accept a Payment Order

The proposed rule accommodates a feature of the FedNow Service under which the beneficiary's bank may notify its Reserve Bank that it requires additional time to determine whether to accept the payment order because it has reasonable cause to believe that the beneficiary is not entitled or permitted to receive payment. The Board proposed to clarify in commentary that such reasonable cause could exist, for example, in instances when making funds available to the beneficiary may potentially violate applicable U.S. sanctions. The Board requested public comment on whether the regulation should allow for a beneficiary's bank to use this feature under a broader range of circumstances.

Four commenters, including a trade association, supported the Board's proposal to keep the range of circumstances where a FedNow participant that is the beneficiary's bank may have additional time relatively

[3] As explained in the commentary, a funds transfer may be initiated from a consumer's account at a depository institution, and the depository institution may execute that payment order by sending a conforming payment order to a Reserve Bank through the FedNow Service. The commentary includes the following additional example of how the provisions of subpart C may govern that transfer if it is also subject to the EFTA: where the customer properly asserts an error under the EFTA with respect to the transfer and exercises the right to obtain a refund to correct the error under the EFTA, the depository institution would be required to comply with the EFTA, and the applicable provisions of the EFTA would govern the institution's obligations to its customer, even if under subpart C the institution is obliged to pay its payment order sent to the Reserve Bank through the FedNow Service. As a practical matter, banks may implement procedures to resolve erroneous payments, and the institution could request that the beneficiary's bank send a new transfer to return funds.

limited, in line with the business process described in the Board's 2020 Notice announcing the service details of the FedNow Service. Eleven commenters, including the trade association and the consumer group letter, stated that the exception to the ''immediate'' funds availability requirement should explicitly allow the beneficiary's bank to delay making funds available for any suspected fraud. Some of these commenters and others also stated that a there should be a further exception to the ''immediate'' funds availability requirement for system disruptions and operational issues that affect incoming and outgoing payment orders.

Two commenters stated that the range of circumstances where a FedNow participant that is the beneficiary's bank may have additional time to determine whether to accept a payment order should be broadened, for example to instances where a FedNow participant has ''reasonable suspicion,'' rather than ''reasonable cause'' to believe the beneficiary is not entitled or permitted to receive the payment. Two other commenters expressed concern that defining finite circumstances where a beneficiary's bank can have additional time to accept a payment order is overly limiting; rather, the commenters stated that the beneficiary's bank should have full discretion on when to delay making funds available to the beneficiary.

Three commenters requested that the Board expressly set out rules for operational aspects of the exception to the ''immediate'' funds availability requirement, such as messaging requirements and time parameters. One commenter requested the Board to conduct further studies on whether any exception to the ''immediate'' funds availability requirement is needed in the long term.

The Board has considered the comments received and has adopted § 210.44(b)(3) as proposed, with a clarification in the commentary in response to comments received. The Board believes that keeping the range of circumstances where a FedNow participant may have additional time to determine whether to accept a payment order relatively limited is critical to preserving the speed of the end-to-end process for an instant payment service, consistent with the service details described in the 2020 Notice. Accordingly, the final rule allows a FedNow participant additional time to determine whether to accept a payment order only in instances where the FedNow participant has reasonable cause to believe that the beneficiary is not entitled or permitted to receive payment. In response to comments, however, the Board has added an example in the commentary noting that such reasonable cause could exist where a particular payment order may be related to fraudulent activity.

The Board understands concerns regarding the challenges a FedNow participant may face to making funds available to a beneficiary immediately as a result of operational issues, such as cybersecurity incidents or system maintenance needs. However, subpart C will accommodate efforts by FedNow participants to address such challenges. For example, subpart C does not prohibit a FedNow participant from signing off from the FedNow Service for limited periods of time, including where the participant encounters an operational disruption. Accordingly, the Board does not believe it is necessary to further expand the circumstances where a beneficiary's bank may have additional time to determine whether to accept a payment order to cover operational issues.

Finally, with respect to commenters that requested the Board expressly set out rules for operational aspects of the exception to the ''immediate'' funds availability requirement, the Board believes that such operational details may more appropriately be addressed in the operating circulars issued by the Reserve Banks, and thus has not included such operational details in the regulation, particularly because the Board anticipates that the practices that are used may evolve.

The Board has revised the commentary to proposed § 210.44 in the final rule as described above, but otherwise the Board has adopted § 210.44 as proposed.

E. Errors and Misdirected Payments

Four commenters raised concerns with respect to the FedNow Service's safety measures to prevent and resolve errors. A few commenters stated that the service should address instances of mismatched information in a payment order with respect to the beneficiary that indicates potentially incorrect information, with a requirement that the Reserve Banks take steps in such instances to seek to prevent errors. The Board believes that such a requirement for the Reserve Banks in the regulation would not be feasible for an instant payment system, like the FedNow Service, because it would slow processing of time-sensitive payments as well as introduce numerous operational complexities.

Additionally, the Board recognizes that errors can take a variety of forms with instant payments, and the Federal Reserve is committed to providing tools to reduce and quickly address erroneous payments as part of the service. To address erroneous payments that may occur within the FedNow Service, the Board has previously announced in the 2020 Notice that the service will include the functionality to request a return of payment when an error has been identified. In addition, to the extent the EFTA applies to a consumer's instant payment, the EFTA's procedures for resolving errors as between a consumer and their financial institution would also apply. Due to the importance of these issues, the Federal Reserve will continually engage with industry stakeholders on best practices for financial institutions to address erroneous payments.

F. Other Comments

Other commenters raised topics beyond the specific provisions proposed by the Board. For example, eight commenters stated that the Board should prioritize collaboration with private-sector instant payment services, as well as consistent policies and practices to remove unnecessary and burdensome incompatibilities. As noted in the 2020 Notice, the Federal Reserve is committed to working towards compatible standards and operating procedures with the existing private-sector instant payment service, and has already advanced that effort by using the widely accepted ISO 20022 standard for FedNow payment messages and aligning the implementation of the standard very closely to that of the private-sector service.

In addition, five commenters stated that the Board should give greater consideration to the operational details with respect to authentication and the potential for fraud, including instances where a third party fraudulently induces a consumer into initiating an instant payment from the consumer's bank account. The Board recognizes that the irrevocable, real-time nature of instant payments can pose a challenge to the industry as a whole in detecting and preventing fraud, which as noted in the consumer group letter, ultimately might impact the safety of all instant payment systems. The Board believes strengthening consumer protections related to instant payments broadly is a desirable goal and supports commenters' suggestions for examining Regulation E as a potential tool.

In addition, as indicated in its 2020 Notice approving the FedNow Service, the Federal Reserve is committed to promoting the development and implementation of industry-wide measures to help financial institutions

detect and prevent fraud. To this end, as the Board has previously indicated in the 2020 Notice, the FedNow Service will have fraud prevention tools and, as described below, subpart C authorizes the Reserve Banks to issue an operating circular for the FedNow Service which would include service terms governing such tools. Over time, the Reserve Banks will augment fraud prevention tools as the FedNow Service matures.

III. Section-by-Section Analysis

A. Subparts A and B

The Board proposed technical corrections in subpart A of Regulation J to update cross-references to other regulations that are no longer current. The Board did not receive any comments on proposed amendments to § 210.2. The Board has adopted these amendments as proposed.

The Board also proposed amendments to subpart B, which governs funds transfers through the Fedwire Funds Service, to reflect the fact that the Reserve Banks will be operating two separate funds transfer systems with the launch of the FedNow Service and distinguish between the two services. For example, the proposed amendments include clarifications to § 210.25(b) with respect to subpart B's scope of application and modifications to the definitions of the following terms: beneficiary, beneficiary's bank, payment order, receiving bank, and sender. These proposed amendments are intended to clarify that the provisions of subpart B are limited to payment orders and parties to a funds transfer that are sent through the Fedwire Funds Service; payment orders and parties to a funds transfer that are sent through the FedNow Service, for example, would not be governed by subpart B. The Board did not receive any comments on proposed §§ 210.25, 210.26, 210.28, and 210.30 and proposed commentary to those sections. The Board has adopted these amendments as proposed.

Additionally, the Board proposed amendments to subpart B to update § 210.25(c), which authorizes Reserve Banks to issue operating circulars consistent with the subpart in connection with the Fedwire Funds Service. The proposed revisions explicitly authorize Reserve Banks to issue operating circulars that also specify the time and method of receipt, execution, and acceptance of a payment order and settlement of a Reserve Bank's payment obligation for purposes of UCC Article 4A; specify service terms governing ancillary features of the Fedwire Funds Service; and provide for the acceptance of documents in electronic form to the extent any provision in UCC Article 4A requires an agreement or other document to be in writing. The Board did not receive any comments on proposed § 210.25(c). The Board has adopted these amendments as proposed.

The proposed amendments to subpart B further include minor changes to § 210.28(b)(3) to provide that the security interest that a sender grants to a Reserve Bank is with respect to all of the sender's assets in the possession of, as well as in the control of, or held for the account of, the Reserve Bank; additional revisions are proposed to the commentary to that section to clarify its description of relevant UCC Article 4A provisions. The Board did not receive any comments on proposed § 210.28(b)(3) and commentary to that section. The Board has adopted these amendments as proposed.

The proposed amendments to subpart B also include a minor change to § 210.30 to clarify that a sender may not send a payment order to a Reserve Bank that specifies an execution date, nor may it specify a payment date, that is later than the day on which the payment order is issued, unless the Reserve Bank agrees with the sender in writing to follow such instructions. The Board did not receive any comments on proposed § 210.30. The Board has adopted these amendments as proposed.

Additionally, the Board's proposed amendments to subpart B include a clarifying revision to § 210.32, which governs the payment of compensation by Reserve Banks in the form of interest. Section 210.32 currently provides that, when a Reserve Bank is obligated to pay compensation to another party in connection with its handling of a funds transfer under UCC Article 4A, the Reserve Bank shall pay compensation in the form of interest to its sender, its receiving bank, its beneficiary, or another party to the funds transfer that is entitled to such payment. The proposed revisions refer to these payments as ''compensation'' rather than interest payments. The Board proposed this clarification to help remove any confusion that such payment is related to any purpose other than compensation, such as monetary policy transmission. The Board did not receive any comments on proposed § 210.32 and commentary to that section. The Board has adopted these amendments as proposed.

Finally, the Board proposed technical revisions in the commentary to subpart B to correct cross-references to UCC Article 1 and to update cross-references to statutes and other regulations that are no longer current. The Board did not receive any comments on the proposed commentary to §§ 210.25 and 210.26. The Board has adopted these amendments as proposed.

B. Subpart C—Funds Transfers Through the FedNow Service

Section 210.40 Authority, Purpose, and Scope

The Board proposed to add § 210.40 to summarize the Board's authority to adopt this subpart of the regulation and provides a description of how the subpart is organized. The Board did not receive any comments on proposed § 210.40(a) or proposed commentary to that section. The Board has adopted these amendments as proposed.

The proposed amendment would also incorporate those provisions of UCC Article 4A (as set forth in an appendix to Regulation J) into subpart C that are not inconsistent with the provisions set forth expressly in subpart C. Specifically, the Board proposed to add new § 210.40(b) to provide that all transfers over the FedNow Service are covered by subpart C, which incorporates UCC Article 4A by reference. In the event that a transfer over the FedNow Service meets the definition of ''electronic fund transfer'' under the Electronic Fund Transfer Act (EFTA), proposed subpart C provides that its provisions would apply to the transfer but the EFTA would prevail to the extent of any inconsistency.

Commenters generally supported the Board's approach to providing legal clarity and certainty on important aspects of the service. The Board received specific comments on applying UCC Article 4A to all transfers over the FedNow Service, including those transfers subject to the EFTA, which is discussed in detail in the relevant overview of comments. The Board has considered the comments received and has revised the proposed commentary to § 210.40 to provide an additional example of how the provisions of subpart C may govern a transfer over the FedNow Service that is also subject to the EFTA.

The Board also proposed to add new subsections that specify the parties subject to proposed subpart C with respect to the FedNow Service. These parties would include senders that send payment orders to a Reserve Bank over the service, receiving banks that receive payment orders from a Reserve Bank over the service, beneficiaries that receive payment for payment orders by means of a credit to their settlement account with a Reserve Bank, and Reserve Banks that send or receive payment orders over the FedNow

Service. For a Reserve Bank that acts in other capacities in connection with a transfer over the FedNow Service (*e.g.,* the Reserve Bank of the correspondent bank for which a sender or receiving bank chooses to settle its activity), that Reserve Bank would not be a party to the funds transfer for purposes of proposed subpart C and UCC Article 4A.

The Board further proposed to specify that other parties to a funds transfer sent through the FedNow Service that are not in privity with a Reserve Bank would be covered by this proposed subpart only under certain circumstances. If these remote parties have notice that the FedNow Service might be used for their funds transfer and that subpart C is the governing law with respect to the transfer over the FedNow Service, then proposed subpart C would govern their rights and obligations with respect to the FedNow Service. Even still, under the Board's proposal, remote parties under these circumstances may nevertheless expressly select by agreement a governing law other than subpart C with respect to its rights and obligations in connection with that transfer.

The Board did not receive any comments on proposed § 210.40(b)(2), (b)(3), or (d) or proposed commentary to those sections. The Board has adopted these amendments as proposed.

The Board proposed to authorize Reserve Banks to issue operating circulars which would detail more specific terms and conditions governing the FedNow Service consistent with the proposed subpart. Five commenters stated that the Board should provide the public an opportunity to review and comment on any FedNow operating circular before it is issued by the Reserve Banks. Operating circulars are contracts between a Reserve Bank and a financial institution that govern the provision of Reserve Bank services. Consistent with longstanding practice for all other operating circulars issued by the Reserve Banks, the Board does not believe those contractual documents need to be issued for public comment. Moreover, any operating circular issued under proposed subpart C to govern the FedNow Service must be consistent with its provisions, which have been subject to public comment. The Board did not receive any comments on proposed § 210.40(c) or proposed commentary to that section. The Board has adopted these amendments as proposed.

Section 210.41 Definitions

The Board proposed to add § 210.41 to define terms used in the regulation with respect to the FedNow Service. Similar to subpart B, the Board proposed to incorporate in subpart C the definitions set forth in UCC Article 4A, in some instances with modifications. In general, these modifications are intended to clarify that, for the purposes of subpart C, these terms would be limited to payment orders and parties in a funds transfer that are sent through the FedNow Service.

The Board also proposed to add definitions of other terms not defined in UCC Article 4A, including ''sender's settlement account,'' ''receiving bank's settlement account,'' ''beneficiary's settlement account,'' and ''Federal Reserve Bank'' with respect to an entity.

The Board did not receive any comments on proposed § 210.41 or proposed commentary to that section. The Board has adopted these amendments as proposed.

Section 210.42 Reliance on Identifying Number

The Board proposed to add § 210.41 providing that a Reserve Bank may rely on the number in the payment order identifying the beneficiary's bank or the beneficiary, consistent with UCC Article 4A. Under the Board's proposal, a Reserve Bank, where it acts as a receiving bank, may rely on the routing number of the beneficiary's bank specified in a payment order as identifying the appropriate beneficiary's bank, even if the payment order identifies another bank by name, provided that the Reserve Bank does not know of the inconsistency. Similarly, a Reserve Bank, where it acts as the beneficiary's bank, may rely on the number identifying a beneficiary, such as the beneficiary's account number, specified in a payment order as identifying the appropriate beneficiary, even if the payment order identifies another beneficiary by name, provided that the Reserve Bank does not know of the inconsistency.

The proposed section also serves to provide notice to nonbank senders that send payment orders directly to a Reserve Bank through the FedNow Service that the Reserve Bank may rely on the numbers in the payment orders identifying the beneficiary's bank and the beneficiary.

The Board received some comments stating that the regulation should address instances of mismatched information in a payment order with respect to the beneficiary that indicates potentially incorrect information, in particular by imposing a requirement for Reserve Banks to investigate or, more generally, for the payment order not to be processed when a name and a number identifying the beneficiary are inconsistent. The Board believes that such a requirement for Reserve Banks in the regulation would not be feasible for an instant payment system, like the FedNow Service, because it would slow processing important time-sensitive payments as well as introduce numerous operational complexities. Accordingly and for the reasons described in the overview section, the Board has adopted the amendments as proposed.

Section 210.43 Agreement of Sender

The Board proposed to add § 210.43(a) to specify when an obligation to pay arises for FedNow participants that send a payment order over the FedNow Service and how that obligation is discharged. Under that proposed section, when a sender sends a payment order to a Reserve Bank over the FedNow Service and the Reserve Bank accepts the payment order, the sender has an obligation to pay the Reserve Bank for the amount of the payment order. The proposed section also provides that the sender authorizes its Reserve Bank to obtain payment for a payment order by debiting, or causing another Reserve Bank (*i.e.,* the Reserve Bank of the correspondent bank, if one is used) to debit, the amount of the payment order from the settlement account. The Board did not receive any comments on proposed § 210.43(a) or proposed commentary to that section. The Board has adopted these amendments as proposed.

The proposal further includes provisions addressing overdrafts. Proposed § 210.43(b) establishes that a sender does not have a right to an overdraft in its settlement account and sets out the sender's obligations to ensure there are sufficient funds in its settlement account and to cover any overdraft by the time the overdraft becomes due and payable. This section also provides a Reserve Bank with a security interest in the sender's assets held at any Reserve Bank to secure any obligation owed and also specifies the actions a Reserve Bank may take to recover the amount of an overdraft, including set-off and realization of collateral. Finally, the proposed section clarifies that settlement accounts could be subject to overdraft charges, where applicable.

One commenter stated that the Board should consider the implications of proposed § 210.43(b) for FedNow participants that choose to settle transfers over the service in the master account of a correspondent, particularly where the correspondent bank incurs an overdraft charge and passes the charge on to the FedNow participant, with the

possibility that the FedNow participant in turn passes on the charge to its customer. As is the case today for correspondent/respondent relationships for existing Reserve Bank services established under Reserve Banks' Operating Circular 1, FedNow participants will be expected to manage their correspondent/respondent relationships, and therefore, some participants banks may need to adjust their internal account monitoring practices. In that regard, the Board believes that the FedNow Service's reporting capabilities will be important to facilitate participants' effective use of the service. In the 2020 Notice, the Board stated that the FedNow Service will be designed to provide reports to participating banks to support transaction monitoring, reporting, and reconciliation, including reports to correspondent banks with transaction-level and summary reports for respondent banks to which they provide services. Accordingly, the Board does not believe it is necessary to adjust § 210.43(b) and has adopted the amendment as proposed.

Finally, proposed § 210.43 includes a provision establishing 60 calendar days as a reasonable period of time within which a FedNow participant that is a sender must notify a Reserve Bank to be entitled to compensation in the form of interest on any amount refundable to the sender, in the event that the payment order sent by the FedNow participant to the Reserve Bank was not authorized or was erroneously executed. One commenter stated that the Board should specify whether proposed § 210.43(c) or the EFTA would govern with respect to such instances. The Board believes it is unnecessary to specify in the final rule whether proposed § 210.43(c) or consumer protections under the EFTA govern the rights and obligations of a FedNow participant vis-à-vis a Reserve Bank in such instances. That is because consumers would not be eligible to be FedNow participants, and therefore consumers would not be able to send a payment order to a Reserve Bank over the FedNow Service. Thus, in the event that the payment order sent by a FedNow participant to a Reserve Bank was not authorized or was erroneously executed under the relevant provisions of UCC Article 4A, proposed § 210.43(c) would govern the rights and obligations of FedNow participants vis-à-vis the Reserve Bank. In contrast, to the extent EFTA applies to a transfer over the FedNow Service, EFTA would govern the relationship between the consumer and their financial institution, including in the event that the payment order sent by the consumer to their financial institution was not authorized or there was an error, as discussed above. Accordingly, the Board does not believe it is necessary to adjust § 210.43(c) and has adopted the amendment as proposed.

Section 210.44 Agreement of Receiving Bank

The Board proposed to add § 210.44 to specify how FedNow participants that receive payment orders over the service and accept the order would receive payment. The proposed section provides that for payment orders that a receiving bank receives from a Reserve Bank over the FedNow Service, payment for the order is made by credit to the settlement account of the receiving bank. The Board did not receive any comments on proposed § 210.44(a) or the proposed commentary to that section. The Board has adopted these amendments as proposed.

The proposed section also includes a requirement for a FedNow participant that is the beneficiary's bank to make funds available to the beneficiary immediately after its acceptance of the payment order over the service. The Board specifically requested comment on whether the regulation should set out specific time parameters to clarify the meaning of ''immediately'' as used in this funds availability requirement and, if so, whether a timeframe of within seconds or, alternatively, within one minute after the bank has accepted the payment order would be reasonable. The Board received a range of comments on this question, as described in the overview section. The Board agrees with the commenters that the regulation does not need to contain specific time parameters in a definition at this time.

Additionally, the proposed section clarifies that the rights and obligations with respect to the availability of funds are also governed by the Expedited Funds Availability Act (EFAA) and its implementing regulation, Regulation CC, which will continue to apply independently of subpart C. The proposed section also clarifies that the obligation for the beneficiary's bank to provide immediate funds availability to the beneficiary does not affect any liability of the beneficiary's bank to the beneficiary, or any party other than a Reserve Bank, under UCC Article 4A or other law. Three commenters stated that the proposal should give consumers an enforceable right to immediate funds availability. The Board believes that doing so would significantly increase the costs and risks for FedNow participants to offer instant payment services, which would not be outweighed by any benefits to the public.

Finally, the proposed section addresses certain circumstances in which a FedNow participant that is the beneficiary's bank requires additional time to determine whether to accept the payment order because it has reasonable cause to believe that the beneficiary is not entitled or permitted to receive payment. In those circumstances, if the FedNow participant notifies its Reserve Bank that it requires additional time, the FedNow participant would not be deemed to have accepted the payment order at such time as would otherwise be considered acceptance of the payment under proposed subpart C (*i.e.,* when it receives payment from its Reserve Bank). The Board specifically requested comment on whether this proposed section is sufficient to cover the likely range of circumstances where a FedNow participant may need additional time to determine whether to accept a payment order. The Board received a range of comments on this question, as discussed in detail in the overview section.

The Board has considered the comments received on proposed § 210.44(b) and has revised the proposed commentary to that section to provide an additional example of circumstances where a FedNow participant may need additional time to determine whether to accept a payment order—specifically, where a FedNow participant has reasonable cause to believe that a particular payment order may be related to fraudulent activity. Accordingly, the Board has revised the commentary to proposed § 210.44(b) in the final rule, but otherwise the Board has adopted § 210.44(b) as proposed.

Section 210.45 Payment Orders

The Board proposed to add § 210.45 to set forth the terms under which a Reserve Bank will accept payment orders from a sender over the FedNow Service. The proposed section provides that a sender must make arrangements with its Reserve Bank before it may send payment orders over the FedNow Service. This proposed section also provides that a Reserve Bank may reject any payment order or impose conditions on the acceptance of payment orders over the FedNow Service for any reason.

This proposed section also provides that a FedNow participant may not (1) send a payment order to a Reserve Bank that requires the Reserve Bank to issue a payment order to an intermediary bank other than another Reserve Bank or (2) send a value-dated payment order through the FedNow Service without

the agreement of the Reserve Bank in writing to follow such instructions.

The Board did not receive any comments on proposed § 210.45 or proposed commentary to that section. The Board has adopted these amendments as proposed.

Section 210.46 Payment by a Federal Reserve Bank to a Receiving Bank or Beneficiary

The Board proposed to add § 210.46 to address the timing of when a Reserve Bank makes payment to a receiving bank (when the Reserve Bank is an intermediary bank) or beneficiary (when the Reserve Bank is the beneficiary's bank). The Board proposed adopting a similar approach as that taken by subpart B for the Fedwire Funds Service, with adjustments to reflect the fact that the FedNow Service will also accommodate participants that choose to settle their activity over the service in the master account of a correspondent bank. The proposed section, therefore, provides that payment to a FedNow participant by Reserve Banks is final at the earlier of the time when the amount of the payment order is credited to the FedNow participant's settlement account (which may be the participant's own master account or the master account of its correspondent bank), or the time when the Reserve Bank sends to the FedNow participant either a conforming payment order or, in instances where the FedNow participant is the beneficiary, a notice of the credit. This payment would be final and irrevocable when made.[4]

The Board did not receive any comments on proposed § 210.46 or proposed commentary to that section. The Board has adopted these amendments as proposed.

Section 210.47 Federal Reserve Bank Liability; Payment of Compensation

The Board proposed to add § 210.47 address the liability of the Reserve Banks, similar to the rules governing the Fedwire Funds Service in subpart B. The Board's proposal provides that, in connection with its handling of a payment order, a Reserve Bank shall not agree to be liable to a sender, receiving bank, beneficiary, or other Reserve Bank for consequential damages resulting from the Reserve Bank's failure to execute a payment order.

The Board's proposal also provides that where a Reserve Bank is obligated under UCC Article 4A to provide compensation in the form of interest to another party in connection with its handling of a funds transfer over the FedNow Service, the Reserve Bank shall do so. In such cases where a Reserve Bank provides compensation in the form of interest, interest would be calculated in accordance with Article 4A.

The Board did not receive any comments on proposed § 210.47 or the proposed commentary to that section. The Board has adopted these amendments as proposed.

IV. Competitive Impact Analysis

The Board conducts a competitive impact analysis when it considers an operational or legal change to a new or existing service, if that change would have a direct and material adverse effect on the ability of other service providers to compete effectively with the Federal Reserve in providing similar services due to legal differences or due to the Federal Reserve's dominant market position deriving from such legal differences. All operational or legal changes having a substantial effect on payments-system participants will be subject to a competitive impact analysis, even if competitive effects are not apparent on the face of the proposal. If such legal differences exist, the Board will assess whether the same objectives could be achieved by a modified proposal with lesser competitive impact or, if not, whether the benefits of the proposal (such as contributing to payments-system efficiency or integrity or other Board objectives) outweigh the materially adverse effect on competition.[5]

In the proposal, the Board stated that it does not believe that the proposed amendments would affect the competitive position of private-sector providers vis-à-vis the Reserve Banks. The proposed rule incorporates UCC Article 4A, with revisions to reflect the nature of funds transfers over the FedNow Service and consistent with the purposes of UCC Article 4A. The proposed amendments do not govern similar services provided by private-sector providers.

One commenter, a private-sector funds-transfer system operator, observed that with respect to transfers over the FedNow Service where a portion is governed by the EFTA, the scope of subpart C is broader than that of UCC Article 4A.[6] This commenter stated that the Board should recognize that private-sector funds-transfer system operators for instant payments do not have the ability to issue Federal regulations and apply rules that similarly address issues with respect to transfers where a portion is also governed by the EFTA. Even still, the commenter stated that it has sought to achieve similar results through the design of its funds-transfer system and in its legal framework, including by requiring a clear chain of contracts to ensure end-to-end coverage of its rules for transfers over its service where a portion of such transfer is governed by the EFTA.

Accordingly, the Board does not believe the amendments to Regulation J will have any direct and material adverse effect on the ability of other service providers to compete with the Reserve Banks. The Board agrees with the commenter that private-sector funds-transfer systems for instant payments could seek to achieve similar results, including by agreement or through a funds-transfer system rule. Therefore, the Board does not believe that the final rule would have a material adverse effect on the competitive position of private-sector providers vis-à-vis the Reserve Banks.

V. Administrative Law Matters

A. The Riegle Community Development and Regulatory Improvement Act of 1994

The Riegle Community Development Regulatory Improvement Act of 1994 requires that agency regulations that impose additional reporting, disclosure, and other requirements on insured depository institutions take effect on the first calendar quarter following publication in final form, unless the agency determines for good cause that the regulation should become effective before such time. 12 U.S.C. 4802(b). Consistent with the Riegle Community Development Act, this final rule is effective on October 1, 2022.

B. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3506; 5 CFR part 1320 appendix A.1), the Board may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a valid Office of Management and Budget (OMB) control number. The Board reviewed the final rule under the authority delegated to the Board by the OMB and determined that

[4] This does not prevent FedNow participants from implementing procedures to resolve erroneous payments, nor does it impede the ability of the receiving bank to initiate a new transfer to return funds in certain circumstances.

[5] Board of Governors of the Federal Reserve System, ''The Federal Reserve in the Payments System,'' (Issued 1984; revised 1990). Available at *https://www.federalreserve.gov/paymentsystems/pfs_frpaysys.htm.*

[6] Section 4A–108 states that UCC Article 4A does not apply to a funds transfer if any part of the transfer is governed by the EFTA.

it contains no collections of information under the PRA.[7] Accordingly, there is no paperwork burden associated with the rule.

C. Regulatory Flexibility Act

An initial regulatory flexibility analysis (IRFA) was included in the proposal in accordance with section 603(a) of the Regulatory Flexibility Act (the RFA) (5 U.S.C. 601 *et seq.*). The Board did not receive any comments on the proposed rule on small entities and on any significant alternatives that would reduce the regulatory burden on small entities. The RFA requires an agency, in connection with a final rule, to prepare a final regulatory flexibility analysis unless the agency certifies that the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. Based on its analysis, and for the reasons stated below, the Board certifies that the rule will not have a significant economic impact on a substantial number of small entities.

While the Reserve Banks can prescribe by agreement terms and conditions in providing the FedNow Service, the Board believes it is appropriate to bring the FedNow Service within the coverage of Regulation J. As discussed in previous sections, the main objective of the final amendments to Regulation J is to establish a new subpart C to govern funds transfers made through the FedNow Service. Depository institutions that choose to use the FedNow Service will have to comply with the applicable provisions of this final rule, which include the requirement on the availability of funds as a term of the service.

The final rule will apply to all depository institutions that choose to participate in the FedNow Service regardless of their size. Pursuant to regulations issued by the Small Business Administration (13 CFR 121.201), a ''small banking organization'' includes a depository institution with $600 million or less in total assets. Based on call report data, there are approximately 7,802 depository institutions that have total domestic assets of $600 million or less and thus are considered small entities for purposes of the RFA analysis.[8]

Given that the rule consists of service terms, there are no new projected reporting, recordkeeping, or other compliance requirements on depository institutions associated with the rule. In addition, there are no substantive changes to existing reporting, recordkeeping or other compliance requirements in the final amendments to Regulation J. Depository institutions that choose to provide a new service to their customers to process instant payments may incur costs associated with necessary operational, personnel, compliance, and other costs in order to become technologically ready to process instant payments through an instant payment service like the FedNow Service, should they choose to do so.

D. Solicitation of Comments on Use of Plain Language

Section 722 of the Gramm-Leach-Bliley Act (Pub. L. 106–102, 113 Stat. 1338, 1471, 12 U.S.C. 4809) requires the Federal banking agencies to use plain language in all proposed and final rules published after January 1, 2000. The Board has sought to present the proposed rule in a simple and straightforward manner, and invited comment on the use of plain language and whether any part of the proposed rule could be more clearly stated. No commenters commented on use of plain language in the proposed rule, and the Board has adopted proposed plain language in the final rule.

List of Subjects in 12 CFR Part 210

Banks, banking, Federal Reserve System.

For the reasons set forth in the preamble, the Board amends Regulation J, 12 CFR part 210, as follows:

PART 210—COLLECTION OF CHECKS AND OTHER ITEMS BY FEDERAL RESERVE BANKS AND FUNDS TRANSFERS THROUGH THE FEDWIRE FUNDS SERVICE AND THE FEDNOW SERVICE (REGULATION J)

■ 1. The authority citation for part 210 continues to read as follows:

Authority: 12 U.S.C. 248(i), (j), and 248–1, 342, 360, 464, 4001–4010, and 5001–5018.

■ 2. Revise the heading to part 210 as set forth above.

■ 3. Revise § 210.2 to read as follows:

§ 210.2 Definitions.

As used in this subpart, unless the context otherwise requires:

Account means an account on the books of a Federal Reserve Bank. A subaccount is an informational record of a subset of transactions that affect an account and is not a separate account.

Actually and finally collected funds means cash or any other form of payment that is, or has become, final and irrevocable.

Administrative Reserve Bank with respect to an entity means the Reserve Bank in whose District the entity is located, as determined under the procedure described in § 204.3(g) of this chapter (Regulation D), even if the entity is not otherwise subject to that section.

Bank means any person engaged in the business of banking. A branch or separate office of a bank is a separate bank to the extent provided in the Uniform Commercial Code.

Bank draft means a check drawn by one bank on another bank.

Banking day means the part of a day on which a bank is open to the public for carrying on substantially all of its banking functions.

Cash item means—

(1) A check other than one classified as a noncash item under this section; or

(2) Any other item payable on demand and collectible at par that the Reserve Bank that receives the item is willing to accept as a cash item. *Cash item* does not include a returned check.

Check means a check or an electronic check, as those terms are defined in § 229.2 of this chapter (Regulation CC).

Clock hour and *clock half-hour.* (1) Clock hour means a time that is on the hour, such as 1:00, 2:00, etc.

(2) Clock half-hour means a time that is on the half-hour, such as 1:30, 2:30, etc.

Fedwire Funds Service and *Fedwire* have the same meaning as that set forth in § 210.26.

Item. (1) Means—

(i) An instrument or a promise or order to pay money, whether negotiable or not, that is—

(A) Payable in a Federal Reserve District[1] (District);

(B) Sent by a sender to a Reserve Bank for handling under this subpart; and

(C) Collectible in funds acceptable to the Reserve Bank of the District in which the instrument is payable; or

(ii) A check.

(2) Unless otherwise indicated, *item* includes both a cash and a noncash item, and includes a returned check sent by a paying or returning bank. *Item* does not include a check that cannot be collected at par, or a payment order as defined in § 210.26(i) and handled under subpart B of this part. The term also does not include an electronically-created item as defined in § 229.2 of this chapter (Regulation CC).

[7] See 44 U.S.C. 3502(3).

[8] As an example, the SBA defines a bank as small if it has $600 million or less in assets. See 13 CFR 121.201 (as amended by 84 FR 34261, effective August 19, 2019). In its determination, the SBA counts the receipts, employees, or other measure of size of the concern whose size is at issue and all of its domestic and foreign affiliates. See 13 CFR 121.103. Depository institution data is derived from December 31, 2021 Call Reports.

[1] For purposes of this subpart, the Virgin Islands and Puerto Rico are deemed to be in the Second District, and Guam, American Samoa, and the Northern Mariana Islands in the Twelfth District.

Nonbank payor means a payor of an item, other than a bank.

Noncash item means an item that a receiving Reserve Bank classifies in its operating circulars as requiring special handling. The term also means an item normally received as a cash item if a Reserve Bank decides that special conditions require that it handle the item as a noncash item.

Paying bank means—

(1) The bank by which an item is payable unless the item is payable or collectible at or through another bank and is sent to the other bank for payment or collection;

(2) The bank at or through which an item is payable or collectible and to which it sent for payment or collection; or

(3) The bank whose routing number appears on a check in the MICR line or in fractional form (or in the MICR-line information that accompanies an electronic item) and to which the check is sent for payment or collection.

Returned check means a cash item returned by a paying bank, including an electronic returned check as defined in § 229.2 of this chapter (Regulation CC) and a notice of nonpayment in lieu of a returned check, whether or not a Reserve Bank handled the check for collection.

Sender means any of the following entities that sends an item to a Reserve Bank for forward collection—

(1) A depository institution, as defined in section 19(b) of the Federal Reserve Act (12 U.S.C. 461(b));

(2) A member bank, as defined in section 1 of the Federal Reserve Act (12 U.S.C. 221);

(3) A clearing institution, defined as—

(i) An institution that is not a depository institution but that maintains with a Reserve Bank the balance referred to in the first paragraph of section 13 of the Federal Reserve Act (12 U.S.C. 342); or

(ii) An Edge corporation or agreement corporation that maintains an account with a Reserve Bank in conformity with part 211 of this chapter (Regulation K);

(4) Another Reserve Bank;

(5) An international organization for which a Reserve Bank is empowered to act as depositary or fiscal agent and maintains an account;

(6) A foreign correspondent, defined as any of the following entities for which a Reserve Bank maintains an account: A foreign bank or banker, a foreign state as defined in section 25(b) of the Federal Reserve Act (12 U.S.C. 632), or a foreign correspondent or agency referred to in section 14(e) of that act (12 U.S.C. 358); or

(7) A branch or agency of a foreign bank maintaining reserves under section 7 of the International Banking Act of 1978 (12 U.S.C. 347d, 3105).

State means a State of the United States, the District of Columbia, Puerto Rico, or a territory, possession, or dependency of the United States.

Uniform Commercial Code and *U.C.C.* mean the Uniform Commercial Code as adopted in a state

Terms not defined in this section. Unless the context otherwise requires—

(1) The terms not defined herein have the meanings set forth in § 229.2 of this chapter applicable to subpart C or D of part 229 of this chapter (Regulation CC), as appropriate; and

(2) The terms not defined herein or in § 229.2 of this chapter have the meanings set forth in the Uniform Commercial Code.

■ 4. Revise the heading to subpart B to read as follows:

Subpart B—Funds Transfers Through the Fedwire Funds Service

■ 5. In subpart B, remove the words ''appendix B of this subpart'' and ''appendix B to this subpart'' and add in their place the words ''appendix A of this part'' wherever they appear.

■ 6. In § 210.25, revise paragraphs (b)(2) and (c) to read as follows:

§ 210.25 Authority, purpose, and scope.

* * * * *

(b) * * *

(2) Except as otherwise provided in paragraphs (b)(3) and (4) of this section, this subpart, including Article 4A as set forth in appendix A of this part and operating circulars of the Federal Reserve Banks issued in accordance with paragraph (c) of this section, governs the rights and obligations of the following parties with respect to the Fedwire Funds Service:

(i) Federal Reserve Banks that send or receive payment orders;

(ii) Senders that send payment orders directly to a Federal Reserve Bank;

(iii) Receiving banks that receive payment orders directly from a Federal Reserve Bank;

(iv) Beneficiaries that receive payment for payment orders by means of credit to an account maintained or used at a Federal Reserve Bank; and

(v) Other parties to a funds transfer any part of which is carried out through the Fedwire Funds Service to the same extent as if this subpart were considered a funds-transfer system rule under Article 4A.

* * * * *

(c) *Operating Circulars.* Each Federal Reserve Bank shall issue an Operating Circular consistent with this subpart that governs the details of its funds-transfer operations in connection with the Fedwire Funds Service and other matters it deems appropriate. Among other things, the Operating Circular may set cut-off times and funds-transfer business days; address security procedures offered by the Federal Reserve Banks to verify the authenticity of a payment order; specify format and media requirements for payment orders; specify the time and method of receipt, execution, and acceptance of a payment order and settlement of a Federal Reserve Bank's payment obligation for purposes of Article 4A; specify service terms governing ancillary features of the Fedwire Funds Service; provide for the acceptance of documents in electronic form to the extent any provision in Article 4A requires an agreement or other document to be in writing; identify messages that are not payment orders; and impose charges for funds-transfer services.

* * * * *

■ 7. Revise § 210.26 to read as follows:

§ 210.26 Definitions.

As used in this subpart, the following definitions apply:

Article 4A means Article 4A of the Uniform Commercial Code as set forth in appendix A of this part, which is incorporated into this subpart in accordance with § 210.25(b).

Automated clearing house transfer means any transfer designated as an automated clearing house transfer in an operating circular issued by the Federal Reserve Banks.

Beneficiary has the same meaning as in Article 4A except that the term is limited to a beneficiary in a funds transfer any portion of which is sent through the Fedwire Funds Service.

Beneficiary's bank has the same meaning as in Article 4A, except that:

(1) The term is limited to a beneficiary's bank in a funds transfer any portion of which is sent through the Fedwire Funds Service;

(2) A Federal Reserve Bank need not be identified in the payment order in order to be the beneficiary's bank; and

(3) The term includes a Federal Reserve Bank when that Federal Reserve Bank is the beneficiary of a payment order.

Fedwire Funds Service means the funds-transfer system owned and operated by the Federal Reserve Banks that is used primarily for the transmission and settlement of payment orders governed by this subpart. The Fedwire Funds Service does not include the FedNow Service or the system for making automated clearing house transfers.

Interdistrict transfer means a funds transfer involving entries to accounts maintained at two Federal Reserve Banks.

Intradistrict transfer means a funds transfer involving entries to accounts maintained at one Federal Reserve Bank.

Off-line bank means a bank that sends payment orders to and receives payment orders from a Federal Reserve Bank by telephone orally or by other means other than electronic data transmission.

Payment order has the same meaning as in Article 4A except that the term includes only instructions sent or received through the Fedwire Funds Service and does not include automated clearing house transfers or any communication designated in an operating circular issued by a Federal Reserve Bank under this subpart as not being a payment order.

Receiving bank has the same meaning as in Article 4A except that the term is limited to a receiving bank in a funds transfer any portion of which is sent through the Fedwire Funds Service.

Sender has the same meaning as in Article 4A except that the term is limited to a sender in a funds transfer any portion of which is sent through the Fedwire Funds Service.

Sender's account, receiving bank's account, and *beneficiary's account* mean the reserve, clearing, or other funds deposit account at a Federal Reserve Bank maintained or used by the sender, receiving bank, or beneficiary, respectively.

Sender's Federal Reserve Bank and *receiving bank's Federal Reserve Bank* mean the Federal Reserve Bank at which the sender or receiving bank, respectively, maintains or uses an account.

■ 8. In § 210.28, revise paragraphs (b)(1) through (3) to read as follows:

§ 210.28 Agreement of sender.

* * * * *

(b) * * *

(1) A sender does not have the right to an overdraft in the sender's account. In the event an overdraft is created, the overdraft shall be due and payable immediately, without the need for a demand by the Federal Reserve Bank, at the earliest of the following times:

(i) At the end of the Fedwire Funds Service funds-transfer business day;

(ii) At the time the Federal Reserve Bank, in its sole discretion, deems itself insecure and gives notice thereof to the sender; or

(iii) At the time the sender suspends payments or is closed.

(2) The sender shall have in its account, at the time the overdraft is due and payable, a balance of actually and finally collected funds sufficient to cover the aggregate amount of all its obligations to the Federal Reserve Bank, whether the obligations result from the execution of a payment order or otherwise.

(3) To secure any overdraft, as well as any other obligation due or to become due to its Federal Reserve Bank, each sender, by sending a payment order to a Federal Reserve Bank that is accepted by the Federal Reserve Bank, grants to the Federal Reserve Bank a security interest in all of the sender's assets in the possession or control of, or held for the account of, the Federal Reserve Bank. The security interest attaches when an overdraft, or any other obligation to the Federal Reserve Bank, becomes due and payable.

* * * * *

■ 9. In § 210.30, revise paragraphs (b) and (c) to read as follows:

§ 210.30 Payment orders.

* * * * *

(b) *Selection of an intermediary bank.* For an interdistrict transfer through the Fedwire Funds Service, a Federal Reserve Bank is authorized and directed to execute a payment order through another Federal Reserve Bank. A sender shall not send a payment order to a Federal Reserve Bank that requires the Federal Reserve Bank to send a payment order to an intermediary bank (other than a Federal Reserve Bank) unless that intermediary bank is designated in the sender's payment order. A sender shall not send to a Federal Reserve Bank a payment order through the Fedwire Funds Service that instructs use by a Federal Reserve Bank of a funds-transfer system or means of transmission other than the Fedwire Funds Service unless the Federal Reserve Bank agrees with the sender in writing to follow such instructions.

(c) *Execution date and payment date.* A sender shall not send a payment order through the Fedwire Funds Service that instructs a Federal Reserve Bank to execute the payment order or to pay the beneficiary on a funds-transfer business day that is later than the Fedwire Funds Service funds-transfer business day on which the order is received by the Federal Reserve Bank, unless the Federal Reserve Bank agrees with the sender in writing to follow such instructions.

■ 10. In § 210.32, revise the section heading and paragraph (b) to read as follows:

§ 210.32 Federal Reserve Bank liability; payment of compensation.

* * * * *

(b) *Payment of compensation.* (1) A Federal Reserve Bank shall satisfy its obligation, or that of another Federal Reserve Bank, to pay compensation in the form of interest under Article 4A by paying such compensation in the form of interest to a sender, receiving bank, beneficiary, or another party to the funds transfer that is entitled to such payment in an amount that is calculated in accordance with section 4A–506 of Article 4A.

(2) If the sender or receiving bank that is the recipient of the payment of compensation is not the party entitled to compensation under Article 4A, the sender or receiving bank shall pass through the benefit of the compensation by making an interest payment, as of the day the compensation was paid by the Federal Reserve Bank, to the party entitled to compensation. The interest payment that is made to the party entitled to compensation shall not be less than the value of the compensation that was paid by the Federal Reserve Bank to the sender or receiving bank. The party entitled to compensation may agree to accept compensation in a form other than a direct interest payment, provided that such an alternative form of compensation is not less than the value of the interest payment that otherwise would be made.

* * * * *

■ 11. In appendix A of subpart B of part 210:

■ a. Under ''*Section 210.25—Authority, Purpose, and Scope,*'' revise paragraphs (a) through (c);

■ b/Revise ''*Section 210.26—Definitions;*''

■ c. Under ''*Section 210.28—Agreement of Sender,*'' revise paragraphs (a), (b), and (c)(2);

■ d. Under ''*Section 210.30—Payment Orders,*'' revise paragraphs (b)(2) and (c); and

■ e. Under ''*Section 210.32—Federal Reserve Bank Liability; Payment of Interest,*'' revise the heading and paragraphs (a)(2), (b), and (c).

The revisions read as follows:

Appendix A of Subpart B of Part 210—Commentary

* * * * *

Section 210.25—Authority, Purpose, and Scope

(a) *Authority and purpose.* Section 210.25(a) states that the purpose of subpart B of this part is to provide rules to govern funds transfers through the Fedwire Funds Service and recites the Board's rulemaking authority for this subpart. Subpart B of this part is Federal law and is not a ''funds-transfer system rule'' as defined in section 4A–501(b) of Article 4A, Funds Transfers, of the Uniform Commercial Code (UCC), as set

forth in appendix A of this part. Certain provisions of Article 4A may not be varied by a funds-transfer system rule, but under section 4A–107, regulations of the Board and operating circulars of the Federal Reserve Banks supersede inconsistent provisions of Article 4A to the extent of the inconsistency. In addition, regulations of the Board may preempt inconsistent provisions of state law. Accordingly, subpart B of this part supersedes or preempts inconsistent provisions of state law. It does not affect state law governing funds transfers that does not conflict with the provisions of subpart B of this part, such as Article 4A as enacted in any state, as such state law may apply to parties to funds transfers through the Fedwire Funds Service whose rights and obligations are not governed by subpart B of this part.

(b) *Scope.* (1) Subpart B of this part incorporates the provisions of Article 4A set forth in appendix A of this part. The provisions set forth expressly in the sections of subpart B of this part supersede or preempt any inconsistent provisions of Article 4A as set forth in appendix A of this part or as enacted in any state. The official comments to Article 4A are not incorporated in subpart B of this part or this commentary to subpart B of this part, but the official comments may be useful in interpreting Article 4A as set forth in appendix A of this part. Because section 4A–105 refers to other provisions of the Uniform Commercial Code (*e.g.,* definitions in article 1 of the UCC), these other provisions of the UCC, as approved by the National Conference of Commissioners on Uniform State Laws, which is now also known as the Uniform Law Commission, and the American Law Institute, from time to time, are also incorporated into subpart B of this part. Subpart B of this part applies to any party to a funds transfer over the Fedwire Funds Service that is in privity with a Federal Reserve Bank. These parties include a sender (bank or nonbank) that sends a payment order directly to a Federal Reserve Bank, a receiving bank that receives a payment order directly from a Federal Reserve Bank, and a beneficiary that receives credit to an account that it uses or maintains at a Federal Reserve Bank as payment for a payment order accepted by a Federal Reserve Bank. Other parties to a funds transfer over the Fedwire Funds Service are covered by subpart B of this part to the same extent subpart B would apply to them if subpart B were a ''funds-transfer system rule'' under Article 4A that selected subpart B of this part as the governing law.

(2) The scope of the applicability of a funds-transfer system rule under Article 4A is specified in section 4A–501(b), and the scope of the choice of law provision is specified in section 4A–507(c). Under section 4A–507(c), a choice of law provision is binding on the participants in a funds-transfer system and certain other parties having notice that the funds-transfer system might be used for the funds transfer and of the choice of law provision. The Uniform Commercial Code provides that a person has notice of a fact when the person has actual knowledge of it, receives a notice or notification of it, or has reason to know that it exists from all the facts and circumstances known to the person at the time in question. (See UCC section 1–202.) However, under sections 4A–507(b) and 4A–507(d), a choice of law by agreement of the parties takes precedence over a choice of law made by funds-transfer system rule.

(3) If originators, receiving banks, and beneficiaries that are not in privity with a Federal Reserve Bank have the notice contemplated by section 4A–507(c) or if those parties agree to be bound by subpart B of this part, subpart B of this part generally would apply to payment orders between those remote parties, including participants in other funds-transfer systems. For example, a payment order may be sent from an originator's bank through a funds-transfer system other than the Fedwire Funds Service to a receiving bank which, in turn, executes that payment order by sending a payment order through the Fedwire Funds Service. Similarly, a Federal Reserve Bank may send a payment order through the Fedwire Funds Service to a receiving bank that sends it through a funds-transfer system other than the Fedwire Funds Service to the beneficiary's bank. In the first example, if the originator's bank has notice that the Fedwire Funds Service may be used to effect part of the funds transfer, the sending of the payment order through the other funds-transfer system to the receiving bank will be governed by subpart B of this part unless the parties to the payment order have agreed otherwise. In the second example, if the beneficiary's bank has notice that the Fedwire Funds Service may be used to effect part of the funds transfer, the sending of the payment order to the beneficiary's bank through the other funds-transfer system will be governed by subpart B of this part unless the parties have agreed otherwise. In both cases, the other funds-transfer system's rules would also apply to, at a minimum, the portion of these funds transfers being made through that funds transfer system. Because subpart B of this part is Federal law, subpart B of this part will take precedence over any funds-transfer system rule applicable to the remote sender or receiving bank or to a Federal Reserve Bank to the extent of any inconsistency. If remote parties to a funds transfer, a portion of which is sent through the Fedwire Funds Service, have expressly selected by agreement, in accordance with section 4A–507(b), a law other than subpart B of this part, subpart B of this part would not take precedence over the choice of law made by the agreement even though the remote parties had notice that the Fedwire Funds Service might be used and of the governing law. (See section 4A–507(d).) In addition, subpart B of this part would not apply to a funds transfer sent through another funds-transfer system where no Federal Reserve Bank handles the funds transfer, even though settlement for the funds transfer is made by means of a separate net settlement or funds transfer through the Fedwire Funds Service.

(4) Under section 4A–108, Article 4A does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act (EFTA) (15 U.S.C. 1693 *et seq.*). In general, Fedwire funds transfers to or from consumer accounts are exempt from the EFTA and Regulation E (12 CFR part 1005). A funds transfer from a consumer originator or a funds transfer to a consumer beneficiary could be carried out in part through the Fedwire Funds Service and in part through an automated clearinghouse or other means that is subject to the EFTA or Regulation E. In these cases, subpart B would not govern the portion of the funds transfer that is governed by the EFTA or Regulation E. (See the commentary to § 210.26 in this appendix, ''Payment Order''.)

(5) Section 919 of the EFTA, however, governs ''remittance transfers,'' which may include funds transfers over the Fedwire Funds Service. Section 919 of the EFTA sets out the obligations of remittance transfer providers with respect to consumer senders of remittance transfers. Section 919 of the EFTA generally does not affect the rights and obligations of financial institutions involved in a remittance transfer. To the extent that a Fedwire funds transfer is a ''remittance transfer'' governed by section 919 of the EFTA, it continues to be governed by subpart B of this part, except that, in the event of an inconsistency between the provisions of subpart B of this part and section 919 of the EFTA, section 919 of the EFTA shall prevail. For example, a consumer may initiate a remittance transfer governed by EFTA section 919 from the consumer's account at a depository institution, and the depository institution may initiate that transfer by sending a payment order to a Federal Reserve Bank through the Fedwire Funds Service. If the consumer subsequently exercised the right to cancel the remittance transfer and obtain a refund under the terms of section 919 of the EFTA, the depository institution would be required to comply with section 919 even if the institution does not have a right to reverse the payment order sent to the Federal Reserve Bank under subpart B of this part.

(6) Finally, section 4A–404(a) provides that a beneficiary's bank is obliged to pay the amount of a payment order to the beneficiary on the payment date unless acceptance of the payment order occurs on the payment date after the close of the funds-transfer business day of the bank. The Expedited Funds Availability Act provides that funds received by a bank by wire transfer shall be available for withdrawal not later than the business day after the business day on which such funds are received (12 U.S.C. 4002(a)). That act also preempts any provision of state law that was not effective on September 1, 1989, that is inconsistent with that act or its implementing Regulation CC (12 CFR part 229). Accordingly, the Expedited Funds Availability Act and Regulation CC may preempt section 4A–404(a) as enacted in any state. In order to ensure that section 4A–404(a), or other provisions of Article 4A, as incorporated in subpart B of this part, do not take precedence over provisions of the Expedited Funds Availability Act, this section 210.25(b)(4) provides that where subpart B of this part establishes rights or obligations that are also governed by the Expedited Funds Availability Act or Regulation CC, the Expedited Funds

Availability Act or Regulation CC provision shall apply and subpart B of this part shall not apply.

(c) *Operating Circulars.* The Federal Reserve Banks issue Operating Circulars consistent with this subpart that contain additional provisions applicable to payment orders and other messages sent through the Fedwire Funds Service. Under section 4A–107, these Operating Circulars supersede inconsistent provisions of Article 4A, both as set forth in appendix A of this part and as enacted in any state. These Operating Circulars are not funds-transfer system rules, but, by their terms, they are binding on all parties covered by this subpart.

* * * * *

Section 210.26—Definitions

Article 4A defines many terms (*e.g., beneficiary, intermediary bank, receiving bank, security procedure*) used in subpart B of this part. These terms are defined or listed in sections 4A–103 through 4A–105. These terms, such as the term *bank* (defined in section 4A–105(d)(2)), may differ from comparable terms in subpart A and subpart C of this part. As subpart B of this part incorporates consistent provisions of Article 4A, it incorporates these definitions unless these terms are expressly defined otherwise in subpart B of this part. Subpart B modifies the definitions of five Article 4A terms, *beneficiary, beneficiary's bank, payment order, receiving bank,* and *sender.* Subpart B also defines terms not defined in Article 4A.

Article 4A. Article 4A means the version of that article of the Uniform Commercial Code set forth in appendix A of this part. It does not refer to the law of any particular state unless the context indicates otherwise. Subject to the express provisions of this subpart, this version of Article 4A is incorporated into this subpart and made Federal law for transactions covered by subpart B of this part. (*See* § 210.25(b)(1) and accompanying commentary.) Because section 4A–105 refers to other provisions of the Uniform Commercial Code (*e.g.,* definitions in article 1 of the UCC), these other provisions of the UCC, as approved by the National Conference of Commissioners on Uniform State Laws, which is now also known as the Uniform Law Commission, and the American Law Institute, from time to time, are also incorporated into subpart B of this part.

Beneficiary, beneficiary's bank, receiving bank, and *sender.* The definitions of ''beneficiary,'' ''beneficiary's bank,'' ''receiving bank,'' and ''sender'' in subpart B of this part differ from the definitions in sections 4A–103(a)(2) through (4). The subpart B definitions clarify that, for the purposes of subpart B of this part, these terms are limited to parties in a funds transfer that is sent through the Fedwire Funds Service. For example, the parties to a funds transfer that is sent through the FedNow Service would be governed by subpart C of this part, and would not be a ''beneficiary,'' ''beneficiary's bank,'' ''receiving bank,'' or ''sender'' governed by subpart B of this part. The subpart B definition of ''beneficiary's bank'' further clarifies that where a Federal Reserve Bank functions as the beneficiary's bank, it need not be identified in the payment order as the beneficiary's bank and that a Federal Reserve Bank that receives a payment order as beneficiary is also the beneficiary's bank with respect to that payment order.

Fedwire Funds Service. This term refers to the funds-transfer system owned and operated by the Federal Reserve Banks that is governed by this subpart. The term does not refer to any particular computer, telecommunications facility, or funds transfer, but rather to the system as a whole, which may include transfers by telephone or by written instrument in particular circumstances. The term does not include the FedNow Service or the system used for automated clearing house transfers.

Off-line bank. Most Fedwire payment orders are sent electronically from a sender to a Federal Reserve Bank or from a Federal Reserve Bank to a receiving bank. Banks that send payment orders to Federal Reserve Banks electronically are often referred to as on-line banks. Some Fedwire Funds Service participants, however, send payment orders to a Federal Reserve Bank or receive payment orders from a Federal Reserve Bank orally by telephone or, in unusual circumstances, in writing. A bank that does not use either a terminal or a computer that links it electronically to a terminal or computer at its Federal Reserve Bank to send payment orders through the Fedwire Funds Service is an off-line bank.

Payment Order. (1) The definition of ''payment order'' in subpart B of this part differs from the section 4A–103(a)(1) definition. The subpart B definition clarifies that, for the purposes of subpart B of this part, the term includes only instructions transmitted through the Fedwire Funds Service. For example, instructions transmitted through the FedNow Service would be governed by subpart C of this part, and not subpart B of this part. Additionally, the subpart B definition provides that certain messages that are transmitted through the Fedwire Funds Service are not payment orders. Federal Reserve Banks and banks participating in the Fedwire Funds Service send various types of messages relating to payment orders or to other matters, through the Fedwire Funds Service, that are not intended to be payment orders. In some cases, messages sent through the Fedwire Funds Service, such as certain requests for credit transfer, may be payment orders under Article 4A, but are not treated as payment orders under subpart B because they are not an instruction to a Federal Reserve Bank to pay or cause another bank to pay money. Under the subpart B definition, these messages are not ''payment orders'' governed by subpart B of this part. The operating circulars of the Federal Reserve Banks may specify those messages that may be transmitted through the Fedwire Funds Service but that are not payment orders.

(2) Subpart B of this part, including its incorporation of Article 4A, governs a payment order even though the originator's or beneficiary's account may be a consumer account established primarily for personal, family, or household purposes. Under section 4A–108, Article 4A does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act. That act and Regulation E (12 CFR part 1005) implementing it do not apply to funds transfers through the Fedwire Funds Service (see 15 U.S.C. 1693a(7)(B) and 12 CFR 1005.3(c)(3)), except that section 919 of the Electronic Fund Transfer Act may govern a Fedwire funds transfer that is a ''remittance transfer.'' Such remittance transfers that are Fedwire funds transfers continue to be governed by subpart B. Thus, subpart B applies to all funds transfers through the Fedwire Funds Service even though some such transfers involve originators or beneficiaries who are consumers. (*See* also § 210.25(b) and accompanying commentary.)

* * * * *

Section 210.28—Agreement of Sender

(a) *Payment of sender's obligation to a Federal Reserve Bank.* When a sender sends a payment order to a Federal Reserve Bank and the Federal Reserve Bank accepts the payment order by issuing a conforming order executing the sender's payment order, under section 4A–402 the sender is indebted to the Federal Reserve Bank for the amount of the payment order. Section 4A–403 specifies the various methods by which a sender may settle the obligation under section 4A–402. With respect to a payment order sent through the Fedwire Funds Service, the obligation of a sender (other than a Federal Reserve Bank) is settled by a debit to the account of the sender at a Federal Reserve Bank. Section 210.28(a) provides that a sender, other than a Federal Reserve Bank, that maintains or uses an account at a Federal Reserve Bank authorizes the Federal Reserve Bank to debit that account so that the Federal Reserve Bank can obtain payment for the payment order.

(b) *Overdrafts.* (1) In some cases, debits to a sender's account will create an overdraft in the sender's account. The Board and the Federal Reserve Banks have established policies concerning when a Federal Reserve Bank will permit a bank to incur an overdraft in its account at a Federal Reserve Bank. These policies do not give a bank or other sender a right to an overdraft in its account. Subpart B clarifies that a sender does not have a right to such an overdraft. If an overdraft arises, it becomes immediately due and payable at the earliest of the following times: The end of the Fedwire Funds Service funds-transfer business day; the time the Federal Reserve Bank, in its sole discretion, deems itself insecure and gives notice to the sender; or the time that the sender suspends payments or is closed by governmental action, such as the appointment of a receiver. In some cases, a Federal Reserve Bank extends its Fedwire Funds Service operations beyond the standard cut-off time for that funds-transfer business day. For the purposes of this section, unless otherwise specified by the Federal Reserve Bank making such an extension, an overdraft becomes due and payable at the end of the extended operating hours. An overdraft becomes due and payable prior to a Federal Reserve Bank's cut-off time if the Federal Reserve Bank deems itself insecure and gives notice to the sender. A Federal Reserve Bank that deems itself insecure may give such notice in accordance

with the provisions on notice in section 1–202(d) of the UCC, in accordance with any other applicable law or agreement, or by any other reasonable means. An overdraft also becomes due and payable at the time that a bank is closed or suspends payments. For example, an overdraft becomes due and payable if a receiver is appointed for the bank or the bank is prevented from making payments by governmental order. The Federal Reserve Bank need not make demand on the sender for the overdraft to become due and payable.

(2) A sender must cover any overdraft and any other obligation of the sender to the Federal Reserve Bank by the time the overdraft becomes due and payable. By sending a payment order to a Federal Reserve Bank, the sender grants a security interest to the Federal Reserve Bank in all of the assets of the sender possessed or controlled by, or held for the account of, the Federal Reserve Bank in order to secure all obligations due or to become due to the Federal Reserve Bank. The security interest attaches when the overdraft, or other obligation of the sender to the Federal Reserve Bank, becomes due and payable. The security interest does not apply to assets held by the sender as custodian or trustee for the sender's customers or third parties. Once an overdraft is due and payable, a Federal Reserve Bank may exercise its right of setoff, liquidate collateral, or take other similar action to satisfy the obligation the sender owes to the Federal Reserve Bank.

(c) * * *

(2) Section 4A–505 provides that, in order for a customer to assert a claim objecting to a debit to its account by a receiving bank, the customer must notify the receiving bank of its objection within one year after the customer received notification reasonably identifying the payment order. Subpart B of this part does not vary this one-year claim preclusion period.

* * * * *

Section 210.30—Payment Orders

* * * * *

(b) * * *

(2) This section provides that in an interdistrict transfer, a Federal Reserve Bank is authorized and directed to select another Federal Reserve Bank as an intermediary bank. A sender may, however, instruct a Federal Reserve Bank to use a particular intermediary bank by designating that bank as the bank to be credited by that Federal Reserve Bank (or the second Federal Reserve Bank in the case of an interdistrict transfer) in its payment order, in which case the Federal Reserve Bank will send the payment order to that bank if that bank receives payment orders through the Fedwire Funds Service. A sender may not instruct a Federal Reserve Bank to use its discretion to select an intermediary bank other than a Federal Reserve Bank or an intermediary bank designated by the sender. In addition, a sender may not send a payment order through the Fedwire Funds Service that instructs a Federal Reserve Bank to use a funds-transfer system or means of transmission other than the Fedwire Funds Service unless the sender and the Federal Reserve Bank agree in writing to the use of that funds-transfer system or means of transmission.

(c) *Execution date and payment date.* Generally, the Fedwire Funds Service is a same-day value transfer system through which funds may be transferred from the originator to the beneficiary on the same funds-transfer business day. A sender may not send a payment order to a Federal Reserve Bank that specifies an execution date or payment date later than the day on which the payment order is issued, unless the sender of the order and the Federal Reserve Bank agree in writing to the arrangement.

* * * * *

Section 210.32—Federal Reserve Bank Liability; Payment of Compensation

(a) * * *

(2) This section does not affect the ability of other parties to a funds transfer to agree to be liable for consequential damages, the liability of a Federal Reserve Bank under section 4A–404 (relating to obligation of beneficiary's bank to pay and give notice to beneficiary), or the liability to parties governed by subpart B for claims not based on the handling of a payment order under subpart B.

(b) *Payment of compensation.* (1) Under article 4A, a Federal Reserve Bank may be required to pay compensation in the form of interest to another party in connection with its handling of a funds transfer. For example, payment of compensation in the form of interest is required in certain situations pursuant to sections 4A–204 (relating to refund of payment and duty of customer to report with respect to unauthorized payment order), 4A–209 (relating to acceptance of payment order), 4A–210 (relating to rejection of payment order), 4A–304 (relating to duty of sender to report erroneously executed payment order), 4A–305 (relating to liability for late or improper execution or failure to execute a payment order), 4A–402 (relating to obligation of sender to pay receiving bank), and 4A–404 (relating to obligation of beneficiary's bank to pay and give notice to beneficiary).

(2) Section 210.32(b) requires Federal Reserve Banks to provide compensation through payment in the form of interest. Under section 4A–506(a), the amount of such interest may be determined by agreement between the sender and receiving bank or by funds-transfer system rule. If there is no such agreement, under section 4A–506(b), the amount of interest is based on the Federal funds rate. Similarly, compensation in the form of interest will be paid to government senders, receiving banks, or beneficiaries described in § 210.25(d) if they are entitled to interest under subpart B. A Federal Reserve Bank may also, in its discretion, pay compensation in the form of interest directly to a remote party to a Fedwire funds transfer that is entitled to interest, rather than providing compensation to its sender or receiving bank.

(3) If a sender or receiving bank that received a payment of compensation is not the party entitled to compensation under Article 4A, the sender or receiving bank must pass the benefit of the payment made to it to the party that is entitled to compensation. The benefit may be passed on either in the form of a direct payment of interest or in the form of a compensating balance if the party entitled to interest agrees to accept the other form of compensation. In the latter case, the value of the compensating balance must be at least equivalent to the value of the interest payment that otherwise would have been provided.

(c) *Nonwaiver of right of recovery.* Several sections of Article 4A allow a party to a funds transfer to make a claim pursuant to the applicable law of mistake and restitution. Nothing in subpart B of this part or any operating circular issued in accordance with subpart B of this part waives any such claim by a Federal Reserve Bank. A Federal Reserve Bank, however, may waive such a claim by express written agreement in order to settle litigation or for other purposes.

Appendix B to Subpart B of Part 210—[Removed]

■ 12. Remove appendix B of subpart B of part 210.

■ 13. Add subpart C to read as follows:

Subpart C—Funds Transfers Through the FedNow Service

Sec.

210.40 Authority, purpose, and scope.
210.14 Definitions.
210.42 Reliance on identifying number.
210.43 Agreement of sender.
210.44 Agreement of receiving bank.
210.45 Payment orders.
210.46 Payment by a Federal Reserve Bank to a receiving bank or beneficiary.
210.47 Federal Reserve Bank liability; payment of compensation.
Appendix A of Subpart C of Part 210—Commentary

Subpart C—Funds Transfers Through the FedNow Service

§ 210.40 Authority, purpose, and scope.

(a) *Authority and purpose.* This subpart provides rules to govern funds transfers through the FedNow Service, and has been issued pursuant to the Federal Reserve Act—section 13 (12 U.S.C. 342), paragraph (f) of section 19 (12 U.S.C. 464), paragraph 14 of section 16 (12 U.S.C. 248(o)), and paragraphs (i) and (j) of section 11 (12 U.S.C. 248(i) and (j))—and other laws and has the force and effect of Federal law. This subpart is not a funds-transfer system rule as defined in Section 4A–501(b) of Article 4A.

(b) *Scope.* (1) This subpart incorporates the provisions of Article 4A set forth in appendix A of this part. In the event of an inconsistency between the provisions of the sections of this subpart and appendix A of this part, the provisions of the sections of this subpart shall prevail.

(2) Except as otherwise provided in paragraphs (b)(3) and (4) of this section, this subpart, including Article 4A as

incorporated herein and operating circulars of the Federal Reserve Banks issued in accordance with paragraph (c) of this section, governs the rights and obligations of the following parties with respect to the FedNow Service:

(i) Federal Reserve Banks that send or receive payment orders;

(ii) Senders that send payment orders directly to a Federal Reserve Bank;

(iii) Receiving banks that receive payment orders directly from a Federal Reserve Bank;

(iv) Beneficiaries that receive payment for payment orders by means of credit to the beneficiary's settlement account; and

(v) Other parties to a funds transfer any part of which is carried out through the FedNow Service to the same extent as if this subpart were considered a funds-transfer system rule under Article 4A.

(3) A Federal Reserve Bank that is not the sender's Federal Reserve Bank, receiving bank's Federal Reserve Bank, or beneficiary's Federal Reserve Bank is not a party to the funds transfer for purposes of this subpart and Article 4A.

(4) This subpart governs a funds transfer that is sent through the FedNow Service, even if a portion of the funds transfer is governed by the Electronic Fund Transfer Act, but in the event of an inconsistency between the provisions this subpart and the Electronic Fund Transfer Act, the Electronic Fund Transfer Act shall prevail to the extent of the inconsistency.

(c) *Operating Circulars.* Each Federal Reserve Bank shall issue an Operating Circular consistent with this subpart that governs the details of its funds-transfer operations in connection with the FedNow Service and other matters it deems appropriate. Among other things, the Operating Circular may: set cut-off times and funds-transfer business days; address security procedures offered by the Federal Reserve Banks to verify the authenticity of a payment order; specify format and media requirements for payment orders; specify the time and method of receipt, execution, and acceptance of a payment order and settlement of a Federal Reserve Bank's payment obligation for purposes of Article 4A; prescribe time limits for the processing of payment orders; specify service terms governing ancillary features of the FedNow Service; provide for the acceptance of documents in electronic form to the extent any provision in Article 4A requires an agreement or other document to be in writing; identify messages that are not payment orders; and impose charges for funds-transfer services.

(d) *Government senders, receiving banks, and beneficiaries.* Except as otherwise expressly provided by the statutes of the United States, the parties specified in paragraphs (b)(2)(ii) through (v) of this section include a department, agency, instrumentality, independent establishment, or office of the United States, or a wholly-owned or controlled government corporation.

(e) *Financial messaging standards.* Financial messaging standards (*e.g.,* ISO 20022), including the financial messaging components, elements, technical documentation, tags, and terminology used to implement those standards, do not confer or connote legal status or responsibilities. This subpart, including Article 4A as incorporated herein, and the operating circulars of the Federal Reserve Banks issued in accordance with paragraph (c) of this section govern the rights and obligations of parties to funds transfers sent through the FedNow Service as provided in paragraph (b) of this section. To the extent there is any inconsistency between a financial messaging standard adopted by the Federal Reserve Banks for the FedNow Service and this subpart, this subpart shall prevail.

§ 210.41 Definitions.

As used in this subpart, the following definitions apply:

Article 4A means Article 4A of the Uniform Commercial Code as set forth in appendix A of this part, which is incorporated into this subpart in accordance with § 210.40(b).

Beneficiary has the same meaning as in Article 4A, except that the term is limited to a beneficiary in a funds transfer that is sent through the FedNow Service.

Beneficiary's bank has the same meaning as in Article 4A, except that:

(1) The term is limited to a beneficiary's bank in a funds transfer that is sent through the FedNow Service;

(2) A Federal Reserve Bank need not be identified in the payment order in order to be the beneficiary's bank; and

(3) The term includes a Federal Reserve Bank when that Federal Reserve Bank is the beneficiary of a payment order.

Federal Reserve Bank with respect to an entity means the Federal Reserve Bank in whose District the entity is located, as determined under the procedure described in Part 204 of this chapter (Regulation D), even if the entity is not otherwise subject to that section, or, if the entity maintains an account on the books of a different Federal Reserve Bank, the Federal Reserve Bank at which the entity maintains an account.

FedNow Service means the funds-transfer system owned and operated by the Federal Reserve Banks to support instant payments that is used primarily for the transmission and settlement of payment orders governed by this subpart. The FedNow Service does not include the Fedwire Funds Service.

Interdistrict transfer means a funds transfer involving entries to settlement accounts maintained at two Federal Reserve Banks.

Payment order has the same meaning as in Article 4A, except that the term includes only instructions sent or received through the FedNow Service, and does not include automated clearing house transfers or any communication designated as not being a payment order in an Operating Circular issued by a Federal Reserve Bank under this subpart.

Receiving bank has the same meaning as in Article 4A, except that the term is limited to a receiving bank in a funds transfer that is sent through the FedNow Service.

Sender has the same meaning as in Article 4A, except that the term is limited to a sender in a funds transfer that is sent through the FedNow Service.

Sender's settlement account, receiving bank's settlement account, and *beneficiary's settlement account* mean an account on the books of a Federal Reserve Bank maintained by the sender, receiving bank, or beneficiary, respectively. The term also includes any account on a Federal Reserve Bank's books used with respect to the FedNow Service by the sender, receiving bank, or beneficiary, respectively, by agreement with its Federal Reserve Bank, any other Federal Reserve Bank on whose books the settlement account is maintained, and the account-holder.

§ 210.42 Reliance on identifying number.

(a) *Reliance by a Federal Reserve Bank on number to identify a beneficiary's bank.* A Federal Reserve Bank that receives a payment order from a sender containing a number that identifies the beneficiary's bank may rely on the number, even if it identifies a bank different from the bank identified by name in the payment order, if the Federal Reserve Bank does not know of such an inconsistency in identification. A Federal Reserve Bank has no duty to detect any such inconsistency in identification.

(b) *Reliance by a Federal Reserve Bank on number to identify beneficiary.* A Federal Reserve Bank, acting as a beneficiary's bank, that receives a

payment order from a sender containing a number that identifies the beneficiary may rely on the number, even if it identifies a person different from the person identified by name in the payment order, if the Federal Reserve Bank does not know of such an inconsistency in identification. A Federal Reserve Bank has no duty to detect any such inconsistency in identification.

§ 210.43 Agreement of sender.

(a) *Payment of sender's obligation to a Federal Reserve Bank.* A sender (other than a Federal Reserve Bank), by maintaining or using a settlement account with a Federal Reserve Bank, authorizes the sender's Federal Reserve Bank to obtain payment for the sender's payment orders by debiting, or causing any other Federal Reserve Bank on whose books the settlement account is maintained to debit, the amount of the payment order from the settlement account. The sender remains responsible for payment if the Federal Reserve Bank on whose books the settlement account is maintained does not, for any reason, obtain payment by debiting that account.

(b) *Overdrafts.* (1) A sender does not have the right to an overdraft in its settlement account. In the event an overdraft is created, the overdraft shall be due and payable immediately, without the need for a demand by the Federal Reserve Bank, at the earliest of the following times:

(i) At the end of the FedNow funds-transfer business day;

(ii) At the time the Federal Reserve Bank, in its sole discretion, deems itself insecure and gives notice thereof to the sender; or

(iii) At the time the sender suspends payments or is closed.

(2) The sender shall have in its settlement account, at the time the overdraft is due and payable, a balance of actually and finally collected funds sufficient to cover the aggregate amount of all its obligations to the Federal Reserve Bank, whether the obligations result from the acceptance of a payment order or otherwise.

(3) To secure any overdraft, as well as any other obligation due or to become due to its Federal Reserve Bank, a sender, by sending a payment order to a Federal Reserve Bank that is accepted by the Federal Reserve Bank, grants to the Federal Reserve Bank a security interest in all of its assets in the possession or control of, or held for the account of, the Federal Reserve Bank. The security interest attaches when an overdraft, or any other obligation to the Federal Reserve Bank, becomes due and payable.

(4) A Federal Reserve Bank may take any action authorized by law to recover the amount of an overdraft that is due and payable, including, but not limited to, the exercise of rights of set off, the realization on any available collateral, and any other rights it may have as a creditor under applicable law.

(5) If a sender, other than a government sender described in § 210.40(d), incurs an overdraft in its settlement account as a result of a debit to the account by a Federal Reserve Bank under paragraph (a) of this section, the settlement account will be subject to any applicable overdraft charges, regardless of whether the overdraft has become due and payable. A Federal Reserve Bank may debit the settlement account under paragraph (a) of this section immediately on acceptance of the payment order.

(c) *Review of payment orders.* A sender, by sending a payment order to a Federal Reserve Bank, agrees that for the purposes of sections 4A–204(a) and 4A–304 of Article 4A, a reasonable time to notify a Federal Reserve Bank of the relevant facts concerning an unauthorized or erroneously executed payment order is within 60 calendar days after the sender receives notice that the payment order was accepted or that the sender's settlement account was debited with respect to the payment order.

§ 210.44 Agreement of receiving bank.

(a) *Payment.* A receiving bank (other than a Federal Reserve Bank) that receives a payment order from its Federal Reserve Bank authorizes that Federal Reserve Bank to pay for the payment order by crediting, or causing any other Federal Reserve Bank on whose books the settlement account is maintained to credit, the amount of the payment order to the settlement account.

(b) *Funds availability.* (1) A beneficiary's bank (other than a Federal Reserve Bank) that accepts a payment order over the FedNow Service is obliged to pay the amount of the order to the beneficiary of the order immediately after its acceptance of the payment order, by crediting an account of the beneficiary in accordance with section 4A–405(a) of Article 4A. The rights and obligations with respect to the availability of funds are also governed by the Expedited Funds Availability Act and the Board's Regulation CC, Availability of Funds and Collection of Checks.

(2) Nothing in paragraph (b)(1) of this section or any Operating Circular issued hereunder shall create any rights that the beneficiary or any party other than a Federal Reserve Bank may assert against the beneficiary's bank, or affect any liability of the beneficiary's bank to the beneficiary or any party other than a Federal Reserve Bank under Article 4A or other law.

(3) In circumstances where the beneficiary's bank (other than a Federal Reserve Bank) has reasonable cause to believe that the beneficiary is not entitled or permitted to receive payment, the beneficiary's bank may notify its Federal Reserve Bank that it requires additional time to determine whether to accept the payment order. In the event the beneficiary's bank gives such notice to its Federal Reserve Bank, for purposes of this subpart and Article 4A the beneficiary's bank does not accept the payment order upon its receipt of payment in the amount of the payment order by a Federal Reserve Bank.

§ 210.45 Payment orders.

(a) *Rejection.* A sender shall not send a payment order to a Federal Reserve Bank unless authorized to do so by the Federal Reserve Bank. A Federal Reserve Bank may reject, or impose conditions that must be satisfied before it will accept, a payment order for any reason.

(b) *Selection of an intermediary bank.* For an interdistrict transfer through the FedNow Service, a Federal Reserve Bank is authorized and directed to execute a payment order through another Federal Reserve Bank. A sender shall not send a payment order to a Federal Reserve Bank that requires the Federal Reserve Bank to send a payment order to an intermediary bank (other than a Federal Reserve Bank). A sender shall not send to a Federal Reserve Bank a payment order through the FedNow Service that instructs use by a Federal Reserve Bank of a funds-transfer system or means of transmission other than the FedNow Service, unless the Federal Reserve Bank agrees with the sender in writing to follow such instructions.

(c) *Execution date and payment date.* A sender shall not issue a payment order through the FedNow Service that instructs a Federal Reserve Bank to execute the payment order or to pay the beneficiary on a FedNow funds-transfer business day that is later than the funds-transfer business day on which the order is received by the Federal Reserve Bank, unless the Federal Reserve Bank agrees with the sender in writing to follow such instructions.

§ 210.46 Payment by a Federal Reserve Bank to a receiving bank or beneficiary.

(a) *Payment to a receiving bank.* Payment of a Federal Reserve Bank's obligation to pay a receiving bank (other than a Federal Reserve Bank) occurs at the earlier of the time when the amount of the payment order is credited to the receiving bank's settlement account or when the payment order is sent to the receiving bank.

(b) *Payment to a beneficiary.* Payment by a Federal Reserve Bank to a beneficiary of a payment order, where the Federal Reserve Bank is the beneficiary's bank, occurs at the earlier of the time when the amount of the payment order is credited to the beneficiary's settlement account or when notice of the credit is sent to the beneficiary.

§ 210.47 Federal Reserve Bank liability; payment of compensation.

(a) *Damages.* In connection with its handling of a payment order under this subpart, a Federal Reserve Bank shall not be liable to a sender, receiving bank, beneficiary, or other Federal Reserve Bank, governed by this subpart, for any damages other than those payable under Article 4A. A Federal Reserve Bank shall not agree to be liable to a sender, receiving bank, beneficiary, or other Federal Reserve Bank for consequential damages under section 4A–305(d) of Article 4A.

(b) *Payment of compensation.* (1) A Federal Reserve Bank shall satisfy its obligation, or that of another Federal Reserve Bank, to pay compensation in the form of interest under Article 4A by paying such compensation to a sender, receiving bank, beneficiary, or another party to the funds transfer that is entitled to such payment in an amount that is calculated in accordance with section 4A–506 of Article 4A.

(2) If the sender or receiving bank that is the recipient of the payment of compensation is not the party entitled to compensation under Article 4A, the sender or receiving bank shall pass through the benefit of the compensation by making an interest payment, as of the day the compensation was paid by the Federal Reserve Bank, to the party entitled to compensation. The interest payment that is made to the party entitled to compensation shall not be less than the value of the compensation that was paid by the Federal Reserve Bank to the sender or receiving bank. The party entitled to compensation may agree to accept compensation in a form other than a direct interest payment, provided that such an alternative form of compensation is not less than the value of the interest payment that otherwise would be made.

(c) *Nonwaiver of right of recovery.* Nothing in this subpart or any operating circular issued hereunder shall constitute, or be construed as constituting, a waiver by a Federal Reserve Bank of a cause of action for recovery under any applicable law of mistake and restitution.

Appendix A of Subpart C of Part 210—Commentary

The Commentary provides background material to explain the intent of the Board of Governors of the Federal Reserve System (Board) in adopting a particular provision in the subpart and to help readers interpret that provision. In some comments, examples are offered. The Commentary constitutes an official Board interpretation of subpart C of this part. Commentary is not provided for every provision of subpart C of this part, as some provisions are self-explanatory.

Section 210.40—Authority, Purpose, and Scope

(a) *Authority and purpose.* Section 210.40(a) states that the purpose of subpart C of this part is to provide rules to govern funds transfers through the FedNow Service and recites the Board's rulemaking authority for this subpart. Subpart C of this part is Federal law and is not a ''funds-transfer system rule,'' as defined in section 4A–501(b) of Article 4A, Funds Transfers, of the Uniform Commercial Code (UCC), as set forth in appendix A of this part. Certain provisions of Article 4A may not be varied by a funds-transfer system rule, but under section 4A–107, regulations of the Board and Operating Circulars of the Federal Reserve Banks supersede inconsistent provisions of Article 4A to the extent of the inconsistency. In addition, regulations of the Board may preempt inconsistent provisions of state law. Accordingly, subpart C of this part supersedes or preempts inconsistent provisions of state law. It does not affect state law governing funds transfers that does not conflict with the provisions of subpart C of this part, such as Article 4A, as enacted in any state, as such state law may apply to parties to funds transfers through the FedNow Service whose rights and obligations are not governed by subpart C of this part.

(b) *Scope.* (1) Subpart C of this part incorporates the provisions of Article 4A set forth in appendix A of this part. The provisions set forth expressly in the sections of subpart C of this part supersede or preempt any inconsistent provisions of Article 4A as set forth in appendix A of this part or as enacted in any state. The official comments to Article 4A are not incorporated in subpart C of this part or this commentary to subpart C of this part, but the official comments may be useful in interpreting Article 4A as set forth in appendix A of this part. Because section 4A–105 refers to other provisions of the Uniform Commercial Code (*e.g.,* definitions in article 1 of the UCC), these other provisions of the UCC, as approved by the National Conference of Commissioners on Uniform State Laws, which is now also known as the Uniform Law Commission, and the American Law Institute, from time to time, are also incorporated into subpart C of this part. Subpart C of this part applies to any party to a funds transfer sent through the FedNow Service that is in privity with a Federal Reserve Bank. These parties include a sender (bank or nonbank) that sends a payment order to a Federal Reserve Bank through the FedNow Service, a receiving bank that receives a payment order from a Federal Reserve Bank, and a beneficiary that receives credit to an account that it uses or maintains at a Federal Reserve Bank as payment for a payment order accepted by a Federal Reserve Bank. Subpart C of this part also applies to Federal Reserve Banks that send or receive payment orders over the FedNow Service. For example, if a sender settles its activity over the FedNow Service in the account of a correspondent bank, the sender's Federal Reserve Bank would be a bank in the funds transfer chain, but the Federal Reserve Bank of the correspondent bank would not be a sender or receiving bank with respect to the payment order and would not be a party to the funds transfer. Other parties to a funds transfer sent through the FedNow Service are covered by this subpart to the same extent that this subpart would apply to them if this subpart were a ''funds-transfer system rule'' under Article 4A that selected subpart C of this part as the governing law.

(2) The scope of the applicability of a funds-transfer system rule under Article 4A is specified in section 4A–501(b), and the scope of the choice of law provision is specified in section 4A–507(c). Under section 4A–507(c), a choice of law provision is binding on the participants in a funds-transfer system and certain other parties having notice that the funds-transfer system might be used for the funds transfer and of the choice of law provision. The Uniform Commercial Code provides that a person has notice of a fact when the person has actual knowledge of it, receives a notice or notification of it, or has reason to know that it exists from all the facts and circumstances known to the person at the time in question. (*See* UCC sec. 1–202.) However, under sections 4A–507(b) and 4A–507(d), a choice of law by agreement of the parties takes precedence over a choice of law made by funds-transfer system rule.

(3) With respect to funds transfers sent through the FedNow Service, if originators and beneficiaries that are not in privity with a Federal Reserve Bank have the notice contemplated by Section 4A–507(c) or if those parties agree to be bound by subpart C of this part, subpart C of this part generally would apply to those remote parties. If remote parties to a funds transfer, a portion of which is sent through the FedNow Service, have expressly selected by agreement a law other than subpart C of this part under section 4A–507(b), subpart C of this part would not take precedence over the choice of law made by the agreement even though the remote parties had notice that the FedNow Service may be used and of the governing law. (*See* 4A–507(d).) In addition, subpart C of this part would not apply to a funds transfer sent through a funds-transfer system

other than the FedNow Service, even though settlement for the funds transfer is made by means of a separate funds transfer through the FedNow Service.

(4) Under section 4A–108, Article 4A does not apply to a funds transfer, any part of which is governed by the Electronic Fund Transfer Act (EFTA) (15 U.S.C. 1693 *et seq.*). A funds transfer from a consumer originator or a funds transfer to a consumer beneficiary could be carried out through the FedNow Service and could potentially be subject to the EFTA and Regulation E (12 CFR part 1005) implementing it. If so, the funds transfer continues to also be governed by subpart C, except that, in the event of an inconsistency between the provisions of subpart C and the EFTA, the EFTA shall prevail to the extent of the inconsistency. (See also the commentary to section 210.41 in this appendix, ''Payment Order.'') For example, a funds transfer may be initiated from a consumer's account at a depository institution, and the depository institution may execute that payment order by sending a conforming payment order to a Reserve Bank through the FedNow Service. If that transfer is subject to the EFTA, then examples of how the provisions of subpart C may govern the transfer include, but are not limited to, the following:

(i) Where the consumer subsequently gives timely notice that the transfer was an unauthorized electronic fund transfer to its depository institution and exercises the right to obtain a refund under the EFTA, the depository institution would be required to comply with the EFTA and the applicable provisions of the EFTA would govern the institution's obligations to its customer, even if under subpart C the institution does not have a right to receive a refund or reverse the payment order sent to the Reserve Bank through the FedNow Service.

(ii) Where the customer properly asserts an error under the EFTA with respect to the transfer and exercises the right to obtain a refund to correct the error under the EFTA, the depository institution would be required to comply with the EFTA and the applicable provisions of the EFTA would govern the institution's obligations to its customer, even if under subpart C the institution is obliged to pay its payment order sent to the Reserve Bank through the FedNow Service.

(c) *Operating Circulars.* The Federal Reserve Banks issue Operating Circulars consistent with this subpart that contain additional provisions applicable to payment orders and other messages sent through the FedNow Service. Under section 4A–107, this Operating Circular supersedes inconsistent provisions of Article 4A, both as set forth in appendix A of this part and as enacted in any state. These Operating Circulars are not funds-transfer system rules, but, by their terms, they are binding on all parties covered by this subpart.

(d) *Government senders, receiving banks, and beneficiaries.* This section clarifies that unless a statute of the United States provides otherwise, subpart C of this part applies to governmental entities.

(e) *Financial messaging standards.* This paragraph makes clear that financial messaging standards, including the financial messaging components, elements, technical documentation, tags, and terminology used to implement those standards, do not confer or connote legal status or responsibilities. Instead, subpart C of this part and Federal Reserve Bank operating circulars govern the rights and obligations of parties to funds transfers sent through the FedNow Service as provided in § 210.40(b). Thus, to the extent there is any inconsistency between a financial messaging standard adopted by the FedNow Service and subpart C of this part, subpart C of this part, including Article 4A as set forth in appendix A of this part, will prevail. In the ISO 20022 financial messaging standard, for example, the term agent is used to refer to a variety of bank parties to a funds transfer (*e.g., debtor agent, creditor agent, intermediary agent*). Notwithstanding use of that term in the standard and in message tags, such banks are not the agents of any party to a funds transfer and owe no duty to any other party to such a funds transfer except as provided in subpart C of this part (including Article 4A) or by express agreement. The ISO 20022 financial messaging standard also permits information to be carried in a funds-transfer message regarding persons that are not parties to that funds transfer (*e.g., ultimate debtor, ultimate creditor, initiating party*) for regulatory, compliance, remittance, or other purposes. An ''ultimate debtor'' is not an ''originator'' as defined in Article 4A. The relationship between the ultimate debtor and the originator (what the ISO 20022 standard calls the ''debtor'') is determined by law other than Article 4A.

Section 210.41— Definitions

Article 4A defines many terms (*e.g., beneficiary, intermediary bank, receiving bank, security procedure*) used in this subpart. These terms are defined or listed in sections 4A–103 through 4A–105. These terms, such as the term bank (defined in section 4A–105(d)(2)), may differ from comparable terms in subpart A and subpart B of this part. As subpart C of this part incorporates consistent provisions of Article 4A, it incorporates these definitions unless these terms are expressly defined otherwise in subpart C of this part. This subpart modifies the definitions of five Article 4A terms: *beneficiary, beneficiary's bank, payment order, receiving bank,* and *sender.* This subpart also defines terms not defined in Article 4A.

Article 4A. Article 4A means the version of that article of the Uniform Commercial Code set forth in appendix A of this part. It does not refer to the law of any particular state unless the context indicates otherwise. Subject to the express provisions of this Subpart, this version of Article 4A is incorporated into this subpart and made Federal law for transactions covered by this subpart. (*See* § 210.40(b)(1) and accompanying commentary.) Because section 4A–105 refers to other provisions of the Uniform Commercial Code (*e.g.,* definitions in article 1 of the UCC) these other provisions of the UCC, as approved by the National Conference of Commissioners on Uniform State Laws, which is now also known as the Uniform Law Commission, and the American Law Institute, from time to time, are also incorporated in subpart C of this part.

Beneficiary, beneficiary's bank, receiving bank, and *sender.* The definitions of ''beneficiary,'' ''beneficiary's bank,'' ''receiving bank,'' and ''sender'' in subpart C of this part differ from the definitions in sections 4A–103(a)(2)–(4). The subpart C definition clarifies that, for the purposes of subpart C of this part, these terms are limited to parties in a funds transfer that is sent through the FedNow Service. For example, the parties to a funds transfer that is sent through the Fedwire Funds Service would be governed by subpart B of this part, and would not be a ''beneficiary,'' ''beneficiary's bank,'' ''receiving bank,'' or ''sender'' governed by subpart C. The definition of ''beneficiary's bank'' in subpart C further clarifies that where a Federal Reserve Bank functions as the beneficiary's bank, it need not be identified in the payment order as the beneficiary's bank and that a Federal Reserve Bank that receives a payment order as beneficiary is also the beneficiary's bank with respect to that payment order.

The FedNow Service. The FedNow Service refers to the funds-transfer system owned and operated by the Federal Reserve Banks to support instant payments that is governed by this Subpart. The term does not refer to any particular computer, telecommunications facility, or funds transfer, but rather to the system as a whole. The FedNow Service does not include the Fedwire Funds Service or the system used for automated clearing house transfers.

Payment Order. (1) The definition of ''payment order'' in subpart C of this part differs from the section 4A–103(a)(1) definition. The subpart C definition clarifies that, for the purposes of subpart C of this part, the term includes only instructions transmitted through the FedNow Service. For example, instructions transmitted through the Fedwire Funds Service would be governed by subpart B of this part, and not subpart C.

Additionally, the subpart C definition provides that certain messages that are transmitted through the FedNow Service are not payment orders. Federal Reserve Banks and banks participating in the FedNow Service send various types of messages relating to payment orders or to other matters, through the FedNow Service, that are not intended to be payment orders. In some cases, messages sent through the FedNow Service, such as certain requests for payment, may be payment orders under Article 4A, but are not treated as payment orders under subpart C because they are not an instruction to a Federal Reserve Bank to pay or cause another bank to pay money. Under the subpart C definition, these messages are not ''payment orders'' governed by this subpart. The operating circulars of the Federal Reserve Banks may specify those messages that may be transmitted through the FedNow Service but that are not payment orders.

(2) Subpart C, including its incorporation of Article 4A, governs a payment order even though the originator's or beneficiary's account may be a consumer account established primarily for personal, family, or household purposes. Under section 4A–108, Article 4A does not apply to a funds transfer

any part of which is governed by the Electronic Fund Transfer Act. That Act, and Regulation E (12 CFR part 1005) implementing it, may govern a transfer through the FedNow Service that is from a consumer originator or to a consumer beneficiary. In the event that a transfer through the FedNow Service is subject to the EFTA, the transfer continues to also be governed by this subpart, except that, in the event of an inconsistency between the provisions of subpart C and the EFTA, the EFTA shall prevail to the extent of the inconsistency. (See also § 210.40(b) and accompanying commentary.) Thus, this subpart applies to all funds transfers through the FedNow Service even though some such transfers involve originators or beneficiaries that are consumers.

*Sender's settlement account, receiving bank's settlement acc*ount, and *beneficiary's settlement account.* A FedNow participant must designate an account on the books of a Federal Reserve Bank that the Federal Reserve Banks may use to settle the participant's activity over the FedNow Service. A FedNow participant may settle its activity over the FedNow Service in its master account. Alternatively, it may designate the account of a correspondent bank that the Federal Reserve Banks may use to settle activity through the service, subject to the correspondent bank's agreement to any such designation.

Section 210.42—Reliance on Identifying Number

(a) *Reliance by a Federal Reserve Bank on number to identify intermediary bank or beneficiary's bank.* Section 4A–208 provides that a receiving bank, such as a Federal Reserve Bank, may rely on the routing number of an intermediary bank or the beneficiary's bank specified in a payment order as identifying the appropriate intermediary bank or beneficiary's bank, even if the payment order identifies another bank by name, provided that the receiving bank does not know of the inconsistency. Under section 4A–208(b)(2), if the sender of the payment order is not a bank, a receiving bank may rely on the number only if the sender had notice before the receiving bank accepted the sender's order that the receiving bank might rely on the number. This section provides this notice to entities that are not banks, such as the Department of the Treasury, that send payment orders directly to a Federal Reserve Bank through the FedNow Service.

(b) *Reliance by a Federal Reserve Bank on number to identify beneficiary.* Section 4A–207 provides that a beneficiary's bank, such as a Federal Reserve Bank, may rely on the number identifying a beneficiary, such as the beneficiary's account number, specified in a payment order as identifying the appropriate beneficiary, even if the payment order identifies another beneficiary by name, provided that the beneficiary's bank does not know of the inconsistency. Under section 4A–207(c)(2), if the originator is not a bank, an originator is not obliged to pay for a payment order if the originator did not have notice that the beneficiary's bank might rely on the identifying number and the person paid on the basis of the identifying number was not entitled to receive payment. This section of subpart C provides this notice to entities that are not banks, such as the Department of the Treasury, that are originators of payment orders sent directly by the originators to a Federal Reserve Bank through the FedNow Service, where that Federal Reserve Bank or another Federal Reserve Bank is the beneficiary's bank (see also section 4A–402(b), providing that a sender must pay a beneficiary's bank for a payment order accepted by the beneficiary's bank).

Section 210.43—Agreement of Sender

(a) *Payment of sender's obligation to a Federal Reserve Bank.* When a sender sends a payment order to a Federal Reserve Bank and the Federal Reserve Bank accepts the payment order by issuing a conforming order executing the sender's payment order, under section 4A–402, the sender is indebted to the Federal Reserve Bank for the amount of the payment order. Section 4A–403 specifies the various methods by which a sender may settle the obligation under section 4A–402. With respect to a payment order sent through the FedNow Service, the obligation of a sender (other than a Federal Reserve Bank) is settled by a debit to the account of the sender at a Federal Reserve Bank. Section 210.43(a) provides that a sender, other than a Federal Reserve Bank, that maintains or uses a settlement account at a Federal Reserve Bank authorizes its Federal Reserve Bank to debit, or cause any other Federal Reserve Bank on whose books the settlement account is maintained to debit, that account, so that the Federal Reserve Bank can obtain payment for the payment order.

(b) *Overdrafts.* (1) In some cases, debits to a sender's settlement account will create an overdraft in the settlement account. The Board and the Federal Reserve Banks have established policies concerning when a Federal Reserve Bank will permit a bank to incur an overdraft in its account at a Federal Reserve Bank. These policies do not give a bank or other sender a right to an overdraft in its account. Subpart C clarifies that a sender does not have a right to such an overdraft. If an overdraft arises, it becomes immediately due and payable at the earliest of the following times: The end of the FedNow funds-transfer business day; the time the Federal Reserve Bank in its sole discretion, deems itself insecure and gives notice to the sender; or the time that the sender suspends payments or is closed by governmental action, such as the appointment of a receiver. In some cases, a Federal Reserve Bank extends its FedNow operations beyond the standard cut-off time for that FedNow funds-transfer business day. For the purposes of this section, unless otherwise specified by the Federal Reserve Bank making such an extension, an overdraft becomes due and payable at the end of the extended operating hours. An overdraft becomes due and payable prior to a Federal Reserve Bank's cut-off time if the Federal Reserve Bank deems itself insecure and gives notice to the sender. A Federal Reserve Bank that deems itself insecure may give such notice in accordance with the provisions on notice in section 1–202(d) of the UCC, in accordance with any other applicable law or agreement, or by any other reasonable means. An overdraft also becomes due and payable at the time that a bank is closed or suspends payments. For example, an overdraft becomes due and payable if a receiver is appointed for the bank or the bank is prevented from making payments by governmental order. The Federal Reserve Bank need not make demand on the sender for the overdraft to become due and payable.

(2) A sender must cover any overdraft and any other obligation of the sender to the Federal Reserve Bank by the time the overdraft becomes due and payable. By sending a payment order to a Federal Reserve Bank, the sender grants a security interest to the Federal Reserve Bank in all of the assets of the sender possessed or controlled by, or held for the account of, the Federal Reserve Bank in order to secure all obligations due or to become due to the Federal Reserve Bank. The security interest attaches when the overdraft, or other obligation of the sender to the Federal Reserve Bank, becomes due and payable. The security interest does not apply to assets held by the sender as custodian or trustee for the sender's customers or third parties. Once an overdraft is due and payable, a Federal Reserve Bank may exercise its right of set off, liquidate collateral, or take other similar action to satisfy the obligation the sender owes to the Federal Reserve Bank.

(c) *Review of payment orders.* (1) Under section 4A–204, a receiving bank is required to refund the principal amount of an unauthorized payment order that the sender was not obliged to pay, together with interest on the refundable amount calculated from the date that the receiving bank received payment to the date of the refund. The sender is not entitled to compensation in the form of interest if the sender fails to exercise ordinary care to determine that the order was not authorized and to notify the receiving bank within a reasonable time after the sender receives a notice that the payment order was accepted or that the sender's account was debited with respect to the order. Similarly, under section 4A–304, if a sender of a payment order that was erroneously executed does not notify the bank receiving the payment order within a reasonable time, the bank is not liable to the sender for compensation in the form of interest on any amount refundable to the sender. Section 210.43(c) establishes 60 calendar days as the reasonable period of time for the purposes of these provisions of Article 4A.

(2) Section 4A–505 provides that in order for a customer to assert a claim objecting to a debit to its account by a receiving bank, the customer must notify the receiving bank of its objection within one year after the customer received notification reasonably identifying the payment order. Subpart C of this part does not vary this one-year claim preclusion period.

Section 210.44—Agreement of Receiving Bank

(b) *Funds availability.* (1) Section 4A–209(b) provides that a beneficiary's bank accepts a payment order at the earliest of

certain specified events, including when the bank receives payment for the entire amount of the order from the sender (*see* section 4A–209(b)(2)). Section 4A–404(a) provides that if a beneficiary's bank accepts a payment order, it is obliged to pay the amount of a payment order to the beneficiary on the payment date unless acceptance of the payment order occurs on the payment date after the close of the funds-transfer business day of the bank. Section 4A–405(a) provides that if a beneficiary's bank pays the beneficiary by crediting an account of the beneficiary on its own books, payment of the bank's obligation under Section 4A–404(a) occurs when and to the extent (i) the bank notifies the beneficiary that it may withdraw the amount of the credit, (ii) the bank lawfully applies the credit to a debt of the beneficiary, or (iii) funds with respect to the payment order are otherwise made available to the beneficiary by the bank.

(2) Section 210.44(b)(1) provides that if a FedNow participant that is the beneficiary's bank accepts a payment order, it must pay the beneficiary by credit to the beneficiary's account in accordance with section 4A–405(a) of Article 4A, and it must do so immediately after its acceptance of the payment order. This section further clarifies that the provisions of the Expedited Funds Availability Act (12 U.S.C. 4002(a)) and its implementing regulation, Regulation CC (12 CFR part 229), also govern. Regulation CC provides that funds received by a bank by an electronic payment shall be available for withdrawal not later than the business day after the banking day on which such funds are received. (12 CFR 229.10(b).) Because Subpart C of this part requires funds to be made available on a more prompt basis than the availability requirements of the Expedited Funds Availability Act and Regulation CC, that act and Regulation CC do not preempt or invalidate subpart C. For example, if a beneficiary's bank accepts a payment order through the FedNow Service at 10 a.m. but does not make funds available to the beneficiary until 5 p.m., the bank has failed to satisfy its obligations under subpart C of this part even if it has satisfied its obligations under Regulation CC.

(3) Section 210.44(b)(2) clarifies that the obligation for the beneficiary's bank to provide immediate funds availability to the beneficiary under § 210.44(b)(1), and any Operating Circular issued in accordance with subpart C, should not be construed as creating any rights that the beneficiary or any party other than a Federal Reserve Bank may assert against the beneficiary's bank, or affect any liability of the beneficiary's bank to the beneficiary or any party other than a Federal Reserve Bank under Article 4A or other law. In the example above, where the beneficiary's bank accepts a payment order through the FedNow Service at 10 a.m. but does not make funds available to the beneficiary until 5 p.m., the bank has failed to satisfy its obligations under § 210.44(b)(1) but the beneficiary would not have a claim or right to assert against the bank under that provision.

(4) Section 210.46(a) provides that payment by a Federal Reserve Bank to a receiving bank occurs when the receiving bank's settlement account is credited or when the payment order is sent by the Federal Reserve Bank to the receiving bank, whichever is earlier, and would ordinarily be considered acceptance of the payment order by the beneficiary's bank under section 4A–209(b). Section 210.44(b)(3) provides that notwithstanding section 4A–209(b), in certain circumstances a beneficiary's bank is not deemed to accept a payment order at such time as it receives payment from its Federal Reserve Bank. Specifically, where the beneficiary's bank has reasonable cause to believe that the beneficiary is not entitled or permitted to receive payment and the beneficiary's bank notifies its Federal Reserve Bank that it requires additional time to determine whether to accept the payment order, this section provides that for purposes of subpart C and Article 4A, the beneficiary's bank does not accept the payment order even if it has received payment for the entire amount of the order from its Federal Reserve Bank as provided in § 210.46.

For example, if the beneficiary's bank has reasonable cause to believe that making funds available to the beneficiary may violate applicable U.S. sanctions, the beneficiary's bank may notify its Federal Reserve Bank that it requires additional time to determine whether to accept the payment order, including to investigate if the beneficiary is subject to applicable sanctions. As an additional example, if the beneficiary's bank has reasonable cause to believe that a particular payment order may be related to fraudulent activity, the beneficiary's bank may notify its Federal Reserve Bank that it requires additional time to determine whether to accept the payment order, including to investigate the suspected fraudulent activity. In both examples, in the event the beneficiary's bank gives such notice, the beneficiary's bank would not be deemed to have accepted the payment order at the time it receives payment from its Federal Reserve Bank.

Section 210.45—Payment Orders

(a) *Rejection.* (1) A sender must make arrangements with its Federal Reserve Bank before it can send payment orders to the Federal Reserve Bank. Federal Reserve Banks reserve the right to reject or impose conditions on the acceptance of payment orders for any reason. For example, a Federal Reserve Bank might reject or impose conditions on accepting a payment order where a sender does not have sufficient funds in its settlement account with the Federal Reserve Bank to cover the amount of the sender's payment order and other obligations of the sender due or to become due to the Federal Reserve Bank. As a further example, a Federal Reserve Bank may reject a payment order that is not successfully processed within time limits established by the Federal Reserve Banks. A Federal Reserve Bank may require a sender to execute a written agreement concerning security procedures or other matters before the sender may send payment orders to the Federal Reserve Bank.

(b) *Selection of an intermediary bank.* (1) Under section 4A–302, if a receiving bank (other than a beneficiary's bank), such as a Federal Reserve Bank, accepts a payment order, it must issue a payment order that complies with the sender's order. The sender's order may include instructions concerning an intermediary bank to be used that must be followed by a receiving bank (see section 4A–302(a)(1)). If the sender does not designate any intermediary bank in its payment order, the receiving bank may select an intermediary bank through which the sender's payment order can be expeditiously issued to the beneficiary's bank so long as the receiving bank exercises ordinary care in selecting the intermediary bank (see section 4A–302(b)).

(2) This section provides that in an interdistrict transfer, a Federal Reserve Bank is authorized and directed to select another Federal Reserve Bank as an intermediary bank. A sender may not instruct a Federal Reserve Bank to use a particular intermediary bank or to use its discretion to select an intermediary bank other than a Federal Reserve Bank. In addition, a sender may not send a payment order through the FedNow Service that instructs a Federal Reserve Bank to use a funds-transfer system or means of transmission other than the FedNow Service, unless the sender and the Federal Reserve Bank agree in writing to the use of that funds-transfer system or means of transmission.

(c) *Execution date and payment date.* (1) Under 4A–301(b), the ''execution date'' of a payment order means the day on which the receiving bank may properly issue a payment order in execution of the sender's order. Under section 4A–401, the ''payment date'' of a payment order is the day on which the amount of the order is payable to the beneficiary by the beneficiary's bank. The execution date and the payment date may be determined by instruction of the sender but cannot be earlier than the day the order is received and, unless otherwise determined, is the day the order is received (see sections 4A–301(b) and 4A–401). Section 4A–106, provides for the time that a payment order is received, including in the event that a receiving bank fixes a cut-off time for the receipt and processing of payment orders. If the bank receives a payment order after its cut-off time, the bank may treat the payment order as received at the opening of the next funds-transfer business day (see section 4A–106(a)).

(2) The FedNow Service is designed to be an instant value transfer system through which funds may be transferred from the originator to the beneficiary on the same funds-transfer business day. This section provides that a sender may not send a payment order to a Federal Reserve Bank that specifies an execution date or payment date later than the day on which the payment order is issued, unless the sender of the order and the Federal Reserve Bank agree in writing to the arrangement.

Section 210.46—Payment by a Federal Reserve Bank to a Receiving Bank or Beneficiary

(a) *Payment to a receiving bank.* (1) Under section 4A–402, when a Federal Reserve Bank executes a sender's payment order by issuing a conforming order to a receiving bank that accepts the payment order, the

Federal Reserve Bank must pay the receiving bank the amount of the payment order. Section 210.44(a) authorizes a Federal Reserve Bank to make the payment by crediting, or causing any other Federal Reserve Bank on whose books the settlement account is maintained to credit, the settlement account of the receiving bank. Section 210.46(a) provides that the payment occurs when the receiving bank's settlement account is credited or when the payment order is sent by the Federal Reserve Bank to the receiving bank, whichever is earlier. Ordinarily, payment will occur during the FedNow funds-transfer business day a short time after the payment order is received. This credit is final and irrevocable when made and constitutes final settlement under section 4A–403. Payment does not waive a Federal Reserve Bank's right of recovery under the applicable law of mistake and restitution (*see* § 210.47(c)), affect a Federal Reserve Bank's right to apply the funds to any obligation due or to become due to the Federal Reserve Bank, or affect legal process or claims by third parties on the funds.

(2) This section on final payment does not apply to settlement for payment orders between Federal Reserve Banks. These payment orders are settled by other means.

(b) *Payment to a beneficiary.* Section 210.46(b) specifies when a Federal Reserve Bank makes payment to a beneficiary for which it is the beneficiary's bank. As in the case of payment to a receiving bank, this payment occurs at the earlier of the time that the Federal Reserve Bank credits the beneficiary's settlement account or sends notice of the credit to the beneficiary, and is final and irrevocable when made.

Section 210.47—Federal Reserve Bank Liability; Payment of Compensation

(a) *Damages.* (1) Under section 4A–305(d), damages for failure of a receiving bank to execute a payment order that it was obligated to execute by express agreement are limited to expenses in the transaction and incidental expenses and interest and do not include additional damages, including consequential damages, unless they are provided for in an express written agreement of the receiving bank. This section clarifies that in connection with the handling of payment orders, Federal Reserve Banks may not agree to be liable for consequential damages under this provision and shall not be liable for damages other than those that may be due under Article 4A to parties governed by this subpart. Any agreement in conflict with these provisions would not be effective, because it would be in violation of subpart C.

(2) This section does not affect the ability of other parties to a funds transfer to agree to be liable for consequential damages, the liability of a Federal Reserve Bank under section 4A–404 (relating to obligation of beneficiary's bank to pay and give notice to beneficiary), or the liability to parties governed by subpart C for claims not based on the handling of a payment order under subpart C.

(b) *Payment of compensation.* (1) Under Article 4A, a Federal Reserve Bank may be required to pay compensation in the form of interest to another party in connection with its handling of a funds transfer. For example, payment of compensation in the form of interest is required in certain situations pursuant to sections 4A–204 (relating to refund of payment and duty of customer to report with respect to unauthorized payment order), 4A–209 (relating to acceptance of payment order), 4A–210 (relating to rejection of payment order), 4A–304 (relating to duty of sender to report erroneously executed payment order), 4A–305 (relating to liability for late or improper execution or failure to execute a payment order), 4A–402 (relating to obligation of sender to pay receiving bank), and 4A–404 (relating to obligation of beneficiary's bank to pay and give notice to beneficiary).

(2) Section 210.47(b) requires Federal Reserve Banks to provide compensation through payment in the form of interest. Under section 4A–506(a), the amount of such interest may be determined by agreement between the sender and receiving bank or by funds-transfer system rule. If there is no such agreement, under section 4A–506(b), the amount of interest is based on the Federal funds rate. Similarly, compensation in the form of interest will be paid to government senders, receiving banks, or beneficiaries described in § 210.40(d) if they are entitled to interest under subpart C. A Federal Reserve Bank may also, in its discretion, pay compensation in the form of interest directly to a remote party to a transfer through the FedNow Service that is entitled to interest, rather than providing compensation to its sender or receiving bank.

(3) If a sender or receiving bank that received a payment of compensation is not the party entitled to compensation under Article 4A, the sender or receiving bank must pass the benefit of the compensation payment made to it to the party that is entitled to compensation. The benefit may be passed on either in the form of a direct payment of interest or in the form of a compensating balance, if the party entitled to interest agrees to accept the other form of compensation. In the latter case, the value of the compensating balance must be at least equivalent to the value of the interest payment that otherwise would have been provided.

(c) *Nonwaiver of right of recovery.* Several sections of Article 4A allow a party to a funds transfer to make a claim pursuant to the applicable law of mistake and restitution. Nothing in subpart C of this part or any Operating Circular issued in accordance with subpart C of this part waives any such claim by a Federal Reserve Bank. A Federal Reserve Bank, however, may waive such a claim by express written agreement in order to settle litigation or for other purposes.

■ 14. Add appendix A of part 210 to read as follows:

Appendix A of Part 210—Article 4A, Funds Transfers

Part 1—Subject Matter and Definitions

Section 4A–101. Short Title

This Article may be cited as Uniform Commercial Code—Funds Transfers.

Section 4A–102. Subject Matter

Except as otherwise provided in section 4A–108, this Article applies to funds transfers defined in section 4A–104.

Section 4A–103. Payment Order—Definitions

(a) In this Article:

(1) Payment order means an instruction of a sender to a receiving bank, transmitted orally, electronically, or in writing, to pay, or to cause another bank to pay, a fixed or determinable amount of money to a beneficiary if:

(i) The instruction does not state a condition to payment to the beneficiary other than time of payment,

(ii) The receiving bank is to be reimbursed by debiting an account of, or otherwise receiving payment from, the sender, and

(iii) The instruction is transmitted by the sender directly to the receiving bank or to an agent, funds-transfer system, or communication system for transmittal to the receiving bank.

(2) Beneficiary means the person to be paid by the beneficiary's bank.

(3) ''Beneficiary's bank'' means the bank identified in a payment order in which an account of the beneficiary is to be credited pursuant to the order or which otherwise is to make payment to the beneficiary if the order does not provide for payment to an account.

(4) Receiving bank means the bank to which the sender's instruction is addressed.

(5) Sender means the person giving the instruction to the receiving bank.

(b) If an instruction complying with paragraph (a)(1) of this section is to make more than one payment to a beneficiary, the instruction is a separate payment order with respect to each payment.

(c) A payment order is issued when it is sent to the receiving bank.

Section 4A–104. Funds Transfer—Definitions

In this Article:

(a) Funds transfer means the series of transactions, beginning with the originator's payment order, made for the purpose of making payment to the beneficiary of the order. The term includes any payment order issued by the originator's bank or an intermediary bank intended to carry out the originator's payment order. A funds transfer is completed by acceptance by the beneficiary's bank of a payment order for the benefit of the beneficiary of the originator's payment order.

(b) Intermediary bank means a receiving bank other than the originator's bank or the beneficiary's bank.

(c) Originator means the sender of the first payment order in a funds transfer.

(d) Originator's bank means:

(1) The receiving bank to which the payment order of the originator is issued if the originator is not a bank; or

(2) The originator if the originator is a bank.

Section 4A–105. Other Definitions

(a) In this Article:

(1) Authorized account means a deposit account of a customer in a bank designated by the customer as a source of payment of payment orders issued by the customer to the

bank. If a customer does not so designate an account, any account of the customer is an authorized account if payment of a payment order from that account is not inconsistent with a restriction on the use of that account.

(2) Bank means a person engaged in the business of banking and includes a savings bank, savings and loan association, credit union, and trust company. A branch or separate office of a bank is a separate bank for purposes of this Article.

(3) Customer means a person, including a bank, having an account with a bank or from whom a bank has agreed to receive payment orders.

(4) Funds-transfer business day of a receiving bank means the part of a day during which the receiving bank is open for the receipt, processing, and transmittal of payment orders and cancellations and amendments of payment orders.

(5) Funds-transfer system means a wire transfer network, automated clearing house, or other communication system of a clearing house or other association of banks through which a payment order by a bank may be transmitted to the bank to which the order is addressed.

(6) Good faith means honesty in fact and the observance of reasonable commercial standards of fair dealing.

(7) Prove with respect to a fact means to meet the burden of establishing the fact (Section 1–201(8)).

(b) Other definitions applying to this Article and the sections in which they appear are:

''Acceptance'' .....Sec. 4A–209
''Beneficiary'' .....Sec. 4A–103
''Beneficiary's bank'' .....Sec. 4A–103
''Executed'' .....Sec. 4A–301
''Execution date'' .....Sec. 4A–301
''Funds transfer'' .....Sec. 4A–104
''Funds-transfer system rule'' .....Sec. 4A–501
''Intermediary bank'' .....Sec. 4A–104
''Originator'' .....Sec. 4A–104
''Originator's bank'' .....Sec. 4A–104
''Payment by beneficiary's bank to beneficiary'' .....Sec. 4A–405
''Payment by originator to beneficiary'' .....Sec. 4A–406
''Payment by sender to receiving bank'' .....Sec. 4A–403
''Payment date'' .....Sec. 4A–401
''Payment order'' .....Sec. 4A–103
''Receiving bank'' .....Sec. 4A–103
''Security procedure'' .....Sec. 4A–201
''Sender'' .....Sec. 4A–103

(c) The following definitions in Article 4 apply to this Article:

''Clearing house'' .....Sec. 4–104
''Item'' .....Sec. 4–104
''Suspends payments'' .....Sec. 4–104

(d) In addition Article 1 contains general definitions and principles of construction and interpretation applicable throughout this Article.

Section 4A–106. Time Payment Order Is Received

(a) The time of receipt of a payment order or communication canceling or amending a payment order is determined by the rules applicable to receipt of a notice stated in Section 1–201(27). A receiving bank may fix a cut-off time or times on a funds-transfer business day for the receipt and processing of payment orders and communications canceling or amending payment orders. Different cut-off times may apply to payment orders, cancellations, or amendments, or to different categories of payment orders, cancellations, or amendments. A cut-off time may apply to senders generally or different cut-off times may apply to different senders or categories of payment orders. If a payment order or communication canceling or amending a payment order is received after the close of a funds-transfer business day or after the appropriate cut-off time on a funds-transfer business day, the receiving bank may treat the payment order or communication as received at the opening of the next funds-transfer business day.

(b) If this Article refers to an execution date or payment date or states a day on which a receiving bank is required to take action, and the date or day does not fall on a funds-transfer business day, the next day that is a funds-transfer business day is treated as the date or day stated, unless the contrary is stated in this Article.

Section 4A–107. Federal Reserve Regulations and Operating Circulars

Regulations of the Board of Governors of the Federal Reserve System and operating circulars of the Federal Reserve Banks supersede any inconsistent provision of this Article to the extent of the inconsistency.

Section 4A–108. Relationship to Electronic Fund Transfer Act

(a) Except as provided in subsection (b), this Article does not apply to a funds transfer any part of which is governed by the Electronic Fund Transfer Act of 1978 (Title XX, Pub. L. 95–630, 92 Stat. 3728, 15 U.S.C. 1693 *et seq.*) as amended from time to time.

(b) This Article applies to a funds transfer that is a remittance transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. 1693o-1) as amended from time to time, unless the remittance transfer is an electronic fund transfer as defined in the Electronic Fund Transfer Act (15 U.S.C. 1693a) as amended from time to time.

(c) In a funds transfer to which this Article applies, in the event of an inconsistency between an applicable provision of this Article and an applicable provision of the Electronic Fund Transfer Act, the provision of the Electronic Fund Transfer Act governs to the extent of the inconsistency.

Part 2—Issue and Acceptance of Payment Order

Section 4A–201. Security Procedure

Security procedure means a procedure established by agreement of a customer and a receiving bank for the purpose of (i) verifying that a payment order or communication amending or canceling a payment order is that of the customer, or (ii) detecting error in the transmission or the content of the payment order or communication. A security procedure may require the use of algorithms or other codes, identifying words or numbers, encryption, callback procedures, or similar security devices. Comparison of a signature on a payment order or communication with an authorized specimen signature of the customer is not by itself a security procedure.

Section 4A–202. Authorized and Verified Payment Orders

(a) A payment order received by the receiving bank is the authorized order of the person identified as sender if that person authorized the order or is otherwise bound by it under the law of agency.

(b) If a bank and its customer have agreed that the authenticity of payment orders issued to the bank in the name of the customer as sender will be verified pursuant to a security procedure, a payment order received by the receiving bank is effective as the order of the customer, whether or not authorized, if (i) the security procedure is a commercially reasonable method of providing security against unauthorized payment orders, and (ii) the bank proves that it accepted the payment order in good faith and in compliance with the security procedure and any written agreement or instruction of the customer restricting acceptance of payment orders issued in the name of the customer. The bank is not required to follow an instruction that violates a written agreement with the customer or notice of which is not received at a time and in a manner affording the bank a reasonable opportunity to act on it before the payment order is accepted.

(c) Commercial reasonableness of a security procedure is a question of law to be determined by considering the wishes of the customer expressed to the bank, the circumstances of the customer known to the bank, including the size, type, and frequency of payment orders normally issued by the customer to the bank, alternative security procedures offered to the customer, and security procedures in general use by customers and receiving banks similarly situated. A security procedure is deemed to be commercially reasonable if (i) the security procedure was chosen by the customer after the bank offered, and the customer refused, a security procedure that was commercially reasonable for that customer, and (ii) the customer expressly agreed in writing to be bound by any payment order, whether or not authorized, issued in its name and accepted by the bank in compliance with the security procedure chosen by the customer.

(d) The term sender in this Article includes the customer in whose name a payment order is issued if the order is the authorized order of the customer under subsection (a) of this section, or it is effective as the order of the customer under subsection (b) of this section.

(e) This section applies to amendments and cancellations of payment orders to the same extent it applies to payment orders.

(f) Except as provided in this section and in section 4A–203(a)(1), rights and obligations arising under this section or section 4A–203 may not be varied by agreement.

Section 4A–203. Unenforceability of Certain Verified Payment Orders

(a) If an accepted payment order is not, under section 4A–202(a), an authorized order of a customer identified as sender, but is effective as an order of the customer pursuant to section 4A–202(b), the following rules apply:

(1) By express written agreement, the receiving bank may limit the extent to which it is entitled to enforce or retain payment of the payment order.

(2) The receiving bank is not entitled to enforce or retain payment of the payment order if the customer proves that the order was not caused, directly or indirectly, by a person (i) entrusted at any time with duties to act for the customer with respect to payment orders or the security procedure, or (ii) who obtained access to transmitting facilities of the customer or who obtained, from a source controlled by the customer and without authority of the receiving bank, information facilitating breach of the security procedure, regardless of how the information was obtained or whether the customer was at fault. Information includes any access device, computer software, or the like.

(b) This section applies to amendments of payment orders to the same extent it applies to payment orders.

Section 4A–204. Refund of Payment and Duty of Customer To Report With Respect to Unauthorized Payment Order

(a) If a receiving bank accepts a payment order issued in the name of its customer as sender which is (i) not authorized and not effective as the order of the customer under section 4A–202, or (ii) not enforceable, in whole or in part, against the customer under section 4A–203, the bank shall refund any payment of the payment order received from the customer to the extent the bank is not entitled to enforce payment and shall pay interest on the refundable amount calculated from the date the bank received payment to the date of the refund. However, the customer is not entitled to interest from the bank on the amount to be refunded if the customer fails to exercise ordinary care to determine that the order was not authorized by the customer and to notify the bank of the relevant facts within a reasonable time not exceeding 90 days after the date the customer received notification from the bank that the order was accepted or that the customer's account was debited with respect to the order The bank is not entitled to any recovery from the customer on account of a failure by the customer to give notification as stated in this section.

(b) Reasonable time under subsection (a) of this section may be fixed by agreement as stated in section 1–204(1), but the obligation of a receiving bank to refund payment as stated in subsection (a) may not otherwise be varied by agreement.

Section 4A–205. Erroneous Payment Orders

(a) If an accepted payment order was transmitted pursuant to a security procedure for the detection of error and the payment order (i) erroneously instructed payment to a beneficiary not intended by the sender, (ii) erroneously instructed payment in an amount greater than the amount intended by the sender, or (iii) was an erroneously transmitted duplicate of a payment order previously sent by the sender, the following rules apply:

(1) If the sender proves that the sender or a person acting on behalf of the sender pursuant to section 4A–206 complied with the security procedure and that the error would have been detected if the receiving bank had also complied, the sender is not obliged to pay the order to the extent stated in this paragraphs (2) and (3).

(2) If the funds transfer is completed on the basis of an erroneous payment order described in clause (i) or (iii) of subsection (a), the sender is not obliged to pay the order and the receiving bank is entitled to recover from the beneficiary any amount paid to the beneficiary to the extent allowed by the law governing mistake and restitution.

(3) If the funds transfer is completed on the basis of a payment order described in clause (ii) of subsection (a), the sender is not obliged to pay the order to the extent the amount received by the beneficiary is greater than the amount intended by the sender. In that case, the receiving bank is entitled to recover from the beneficiary the excess amount received to the extent allowed by the law governing mistake and restitution.

(b) If (i) the sender of an erroneous payment order described in subsection (a) is not obliged to pay all or part of the order, and (ii) the sender receives notification from the receiving bank that the order was accepted by the bank or that the sender's account was debited with respect to the order, the sender has a duty to exercise ordinary care, on the basis of information available to the sender, to discover the error with respect to the order and to advise the bank of the relevant facts within a reasonable time, not exceeding 90 days, after the bank's notification was received by the sender. If the bank proves that the sender failed to perform that duty, the sender is liable to the bank for the loss the bank proves it incurred as a result of the failure, but the liability of the sender may not exceed the amount of the sender's order.

(c) This section applies to amendments to payment orders to the same extent it applies to payment orders.

Section 4A–206. Transmission of Payment Order Through Funds-Transfer or Other Communication System

(a) If a payment order addressed to a receiving bank is transmitted to a funds-transfer system or other third-party communication system for transmittal to the bank, the system is deemed to be an agent of the sender for the purpose of transmitting the payment order to the bank. If there is a discrepancy between the terms of the payment order transmitted to the system and the terms of the payment order transmitted by the system to the bank, the terms of the payment order of the sender are those transmitted by the system. This section does not apply to a funds-transfer system of the Federal Reserve Banks.

(b) This section applies to cancellations and amendments of payment orders to the same extent it applies to payment orders.

Section 4A–207. Misdescription of Beneficiary

(a) Subject to subsection (b), if, in a payment order received by the beneficiary's bank, the name, bank account number, or other identification of the beneficiary refers to a nonexistent or unidentifiable person or account, no person has rights as a beneficiary of the order and acceptance of the order cannot occur.

(b) If a payment order received by the beneficiary's bank identifies the beneficiary both by name and by an identifying or bank account number and the name and number identify different persons, the following rules apply:

(1) Except as otherwise provided in subsection (c), if the beneficiary's bank does not know that the name and number refer to different persons, it may rely on the number as the proper identification of the beneficiary of the order. The beneficiary's bank need not determine whether the name and number refer to the same person.

(2) If the beneficiary's bank pays the person identified by name or knows that the name and number identify different persons, no person has rights as beneficiary except the person paid by the beneficiary's bank if that person was entitled to receive payment from the originator of the funds transfer. If no person has rights as beneficiary, acceptance of the order cannot occur.

(c) If (i) a payment order described in subsection (b) is accepted, (ii) the originator's payment order described the beneficiary inconsistently by name and number, and (iii) the beneficiary's bank pays the person identified by number as permitted by subsection (b)(1), the following rules apply:

(1) If the originator is a bank, the originator is obliged to pay its order.

(2) If the originator is not a bank and proves that the person identified by number was not entitled to receive payment from the originator, the originator is not obliged to pay its order unless the originator's bank proves that the originator, before acceptance of the originator's order, had notice that payment of a payment order issued by the originator might be made by the beneficiary's bank on the basis of an identifying or bank account number even if it identifies a person different from the named beneficiary. Proof of notice may be made by any admissible evidence. The originator's bank satisfies the burden of proof if it proves that the originator, before the payment order was accepted, signed a writing stating the information to which the notice relates.

(d) In a case governed by subsection (b)(1), if the beneficiary's bank rightfully pays the person identified by number and that person was not entitled to receive payment from the originator, the amount paid may be recovered from that person to the extent allowed by the law governing mistake and restitution as follows:

(1) If the originator is obliged to pay its payment order as stated in subsection (c), the originator has the right to recover.

(2) If the originator is not a bank and is not obliged to pay its payment order, the originator's bank has the right to recover.

Section 4A–208. Misdescription of Intermediary Bank or Beneficiary's Bank

(a) This subsection applies to a payment order identifying an intermediary bank or the beneficiary's bank only by an identifying number.

(1) The receiving bank may rely on the number as the proper identification of the intermediary or beneficiary's bank and need not determine whether the number identifies a bank.

(2) The sender is obliged to compensate the receiving bank for any loss and expenses incurred by the receiving bank as a result of its reliance on the number in executing or attempting to execute the order.

(b) This subsection applies to a payment order identifying an intermediary bank or the beneficiary's bank both by name and an identifying number if the name and number identify different persons.

(1) If the sender is a bank, the receiving bank may rely on the number as the proper identification of the intermediary or beneficiary's bank if the receiving bank, when it executes the sender's order, does not know that the name and number identify different persons. The receiving bank need not determine whether the name and number refer to the same person or whether the number refers to a bank. The sender is obliged to compensate the receiving bank for any loss and expenses incurred by the receiving bank as a result of its reliance on the number in executing or attempting to execute the order.

(2) If the sender is not a bank and the receiving bank proves that the sender, before the payment order was accepted, had notice that the receiving bank might rely on the number as the proper identification of the intermediary or beneficiary's bank even if it identifies a person different from the bank identified by name, the rights and obligations of the sender and the receiving bank are governed by subsection (b)(1), as though the sender were a bank. Proof of notice may be made by any admissible evidence. The receiving bank satisfies the burden of proof if it proves that the sender, before the payment order was accepted, signed a writing stating the information to which the notice relates.

(3) Regardless of whether the sender is a bank, the receiving bank may rely on the name as the proper identification of the intermediary or beneficiary's bank if the receiving bank, at the time it executes the sender's order, does not know that the name and number identify different persons. The receiving bank need not determine whether the name and number refer to the same person.

(4) If the receiving bank knows that the name and number identify different persons, reliance on either the name or the number in executing the sender's payment order is a breach of the obligation stated in section 4A–302(a)(1).

Section 4A–209. Acceptance of Payment Order

(a) Subject to subsection (d), a receiving bank other than the beneficiary's bank accepts a payment order when it executes the order.

(b) Subject to subsections (c) and (d), a beneficiary's bank accepts a payment order at the earliest of the following times:

(1) When the bank (i) pays the beneficiary as stated in section 4A–405(a) or 4A–405(b), or (ii) notifies the beneficiary of receipt of the order or that the account of the beneficiary has been credited with respect to the order unless the notice indicates that the bank is rejecting the order or that funds with respect to the order may not be withdrawn or used until receipt of payment from the sender of the order;

(2) When the bank receives payment of the entire amount of the sender's order pursuant to section 4A–403(a)(1) or (2); or

(3) The opening of the next funds-transfer business day of the bank following the payment date of the order if, at that time, the amount of the sender's order is fully covered by a withdrawable credit balance in an authorized account of the sender or the bank has otherwise received full payment from the sender, unless the order was rejected before that time or is rejected within (i) one hour after that time, or (ii) one hour after the opening of the next business day of the sender following the payment date if that time is later. If notice of rejection is received by the sender after the payment date and the authorized account of the sender does not bear interest, the bank is obliged to pay interest to the sender on the amount of the order for the number of days elapsing after the payment date to the day the sender receives notice or learns that the order was not accepted, counting that day as an elapsed day. If the withdrawable credit balance during that period falls below the amount of the order, the amount of interest payable is reduced accordingly.

(c) Acceptance of a payment order cannot occur before the order is received by the receiving bank. Acceptance does not occur under subsection (b)(2) or (3) if the beneficiary of the payment order does not have an account with the receiving bank, the account has been closed, or the receiving bank is not permitted by law to receive credits for the beneficiary's account.

(d) A payment order issued to the originator's bank cannot be accepted until the payment date if the bank is the beneficiary's bank, or the execution date if the bank is not the beneficiary's bank. If the originator's bank executes the originator's payment order before the execution date or pays the beneficiary of the originator's payment order before the payment date and the payment order is subsequently canceled pursuant to section 4A–211(b), the bank may recover from the beneficiary any payment received to the extent allowed by the law governing mistake and restitution.

Section 4A–210. Rejection of Payment Order

(a) A payment order is rejected by the receiving bank by a notice of rejection transmitted to the sender orally, electronically, or in writing. A notice of rejection need not use any particular words and is sufficient if it indicates that the receiving bank is rejecting the order or will not execute or pay the order. Rejection is effective when the notice is given if transmission is by a means that is reasonable in the circumstances. If notice of rejection is given by a means that is not reasonable, rejection is effective when the notice is received. If an agreement of the sender and receiving bank establishes the means to be used to reject a payment order, (i) any means complying with the agreement is reasonable, and (ii) any means not complying is not reasonable unless no significant delay in receipt of the notice resulted from the use of the noncomplying means.

(b) This subsection applies if a receiving bank other than the beneficiary's bank fails to execute a payment order despite the existence on the execution date of a withdrawable credit balance in an authorized account of the sender sufficient to cover the order. If the sender does not receive notice of rejection of the order on the execution date and the authorized account of the sender does not bear interest, the bank is obliged to pay interest to the sender on the amount of the order for the number of days elapsing after the execution date to the earlier of the day the order is canceled pursuant to section 4A–211(d) or the day the sender receives notice or learns that the order was not executed, counting the final day of the period as an elapsed day. If the withdrawable credit balance during that period falls below the amount of the order, the amount of interest is reduced accordingly.

(c) If a receiving bank suspends payments, all unaccepted payment orders issued to it are deemed rejected at the time the bank suspends payments.

(d) Acceptance of a payment order precludes a later rejection of the order. Rejection of a payment order precludes a later acceptance of the order.

Section 4A–211. Cancellation and Amendment of Payment Order

(a) A communication of the sender of a payment order canceling or amending the order may be transmitted to the receiving bank orally, electronically, or in writing. If a security procedure is in effect between the sender and the receiving bank, the communication is not effective to cancel or amend the order unless the communication is verified pursuant to the security procedure or the bank agrees to the cancellation or amendment.

(b) Subject to subsection (a), a communication by the sender canceling or amending a payment order is effective to cancel or amend the order if notice of the communication is received at a time and in a manner affording the receiving bank a reasonable opportunity to act on the communication before the bank accepts the payment order.

(c) After a payment order has been accepted, cancellation or amendment of the order is not effective unless the receiving bank agrees or a funds-transfer system rule allows cancellation or amendment without agreement of the bank.

(1) With respect to a payment order accepted by a receiving bank other than the beneficiary's bank, cancellation or amendment is not effective unless a conforming cancellation or amendment of the payment order issued by the receiving bank is also made.

(2) With respect to a payment order accepted by the beneficiary's bank, cancellation or amendment is not effective unless the order was issued in execution of an unauthorized payment order, or because of a mistake by a sender in the funds transfer which resulted in the issuance of a payment order (i) that is a duplicate of a payment order previously issued by the sender, (ii) that orders payment to a beneficiary not entitled to receive payment from the originator, or (iii) that orders payment in an

amount greater than the amount the beneficiary was entitled to receive from the originator. If the payment order is canceled or amended, the beneficiary's bank is entitled to recover from the beneficiary any amount paid to the beneficiary to the extent allowed by the law governing mistake and restitution.

(d) An unaccepted payment order is canceled by operation of law at the close of the fifth funds-transfer business day of the receiving bank after the execution date or payment date of the order.

(e) A canceled payment order cannot be accepted. If an accepted payment order is canceled, the acceptance is nullified and no person has any right or obligation based on the acceptance. Amendment of a payment order is deemed to be cancellation of the original order at the time of amendment and issue of a new payment order in the amended form at the same time.

(f) Unless otherwise provided in an agreement of the parties or in a funds-transfer system rule, if the receiving bank, after accepting a payment order, agrees to cancellation or amendment of the order by the sender or is bound by a funds-transfer system rule allowing cancellation or amendment without the bank's agreement, the sender, whether or not cancellation or amendment is effective, is liable to the bank for any loss and expenses, including reasonable attorney's fees, incurred by the bank as a result of the cancellation or amendment or attempted cancellation or amendment.

(g) A payment order is not revoked by the death or legal incapacity of the sender unless the receiving bank knows of the death or of an adjudication of incapacity by a court of competent jurisdiction and has reasonable opportunity to act before acceptance of the order.

(h) A funds-transfer system rule is not effective to the extent it conflicts with subsection (c)(2) of this section.

Section 4A–212. Liability and Duty of Receiving Bank Regarding Unaccepted Payment Order

If a receiving bank fails to accept a payment order that it is obliged by express agreement to accept, the bank is liable for breach of the agreement to the extent provided in the agreement or in this Article, but does not otherwise have any duty to accept a payment order or, before acceptance, to take any action, or refrain from taking action, with respect to the order except as provided in this Article or by express agreement. Liability based on acceptance arises only when acceptance occurs as stated in section 4A–209, and liability is limited to that provided in this Article. A receiving bank is not the agent of the sender or beneficiary of the payment order it accepts, or of any other party to the funds transfer, and the bank owes no duty to any party to the funds transfer except as provided in this Article or by express agreement.

Part 3—Execution of Sender's Payment Order by Receiving Bank

Section 4A–301. Execution and Execution Date

(a) A payment order is ''executed'' by the receiving bank when it issues a payment order intended to carry out the payment order received by the bank. A payment order received by the beneficiary's bank can be accepted but cannot be executed.

(b) Execution date of a payment order means the day on which the receiving bank may properly issue a payment order in execution of the sender's order. The execution date may be determined by instruction of the sender but cannot be earlier than the day the order is received and, unless otherwise determined, is the day the order is received. If the sender's instruction states a payment date, the execution date is the payment date or an earlier date on which execution is reasonably necessary to allow payment to the beneficiary on the payment date.

Section 4A–302. Obligations of Receiving Bank in Execution of Payment Order

(a) Except as provided in subsections (b) through (d), if the receiving bank accepts a payment order pursuant to section 4A–209(a), the bank has the following obligations in executing the order:

(1) The receiving bank is obliged to issue, on the execution date, a payment order complying with the sender's order and to follow the sender's instructions concerning (i) any intermediary bank or funds-transfer system to be used in carrying out the funds transfer, or (ii) the means by which payment orders are to be transmitted in the funds transfer. If the originator's bank issues a payment order to an intermediary bank, the originator's bank is obliged to instruct the intermediary bank according to the instruction of the originator. An intermediary bank in the funds transfer is similarly bound by an instruction given to it by the sender of the payment order it accepts.

(2) If the sender's instruction states that the funds transfer is to be carried out telephonically or by wire transfer or otherwise indicates that the funds transfer is to be carried out by the most expeditious means, the receiving bank is obliged to transmit its payment order by the most expeditious available means, and to instruct any intermediary bank accordingly. If a sender's instruction states a payment date, the receiving bank is obliged to transmit its payment order at a time and by means reasonably necessary to allow payment to the beneficiary on the payment date or as soon thereafter as is feasible.

(b) Unless otherwise instructed, a receiving bank executing a payment order may (i) use any funds-transfer system if use of that system is reasonable in the circumstances, and (ii) issue a payment order to the beneficiary's bank or to an intermediary bank through which a payment order conforming to the sender's order can expeditiously be issued to the beneficiary's bank if the receiving bank exercises ordinary care in the selection of the intermediary bank. A receiving bank is not required to follow an instruction of the sender designating a funds-transfer system to be used in carrying out the funds transfer if the receiving bank, in good faith, determines that it is not feasible to follow the instruction or that following the instruction would unduly delay completion of the funds transfer.

(c) Unless subsection (a)(2) applies or the receiving bank is otherwise instructed, the bank may execute a payment order by transmitting its payment order by first class mail or by any means reasonable in the circumstances. If the receiving bank is instructed to execute the sender's order by transmitting its payment order by the means stated or by any means as expeditious as the means stated.

(d) Unless instructed by the sender, (i) the receiving bank may not obtain payment of its charges for services and expenses in connection with the execution of the sender's order by issuing a payment order in an amount equal to the amount of the sender's order less the amount of the charges, and (ii) may not instruct a subsequent receiving bank to obtain payment of its charges in the same manner.

Section 4A–303. Erroneous Execution of Payment Order

(a) A receiving bank that (i) executes the payment order of the sender by issuing a payment order in an amount greater than the amount of the sender's order, or (ii) issues a payment order in execution of the sender's order and then issues a duplicate order, is entitled to payment of the amount of the sender's order under section 4A–402(c) if that subsection is otherwise satisfied. The bank is entitled to recover from the beneficiary of the erroneous order the excess payment received to the extent allowed by the law governing mistake and restitution.

(b) A receiving bank that executes the payment order of the sender by issuing a payment order in an amount less than the amount of the sender's order is entitled to payment of the amount of the sender's order under section 4A–402(c) if (i) that subsection is otherwise satisfied and (ii) the bank corrects its mistake by issuing an additional payment order for the benefit of the beneficiary of the sender's order. If the error is not corrected, the issuer of the erroneous order is entitled to receive or retain payment from the sender of the order it accepted only to the extent of the amount of the erroneous order. This subsection does not apply if the receiving bank executes the sender's payment order by issuing a payment order in an amount less than the amount of the sender's order for the purpose of obtaining payment of its charges for services and expenses pursuant to instruction of the sender.

(c) If a receiving bank executes the payment order of the sender by issuing a payment order to a beneficiary different from the beneficiary of the sender's order and the funds transfer is completed on the basis of that error, the sender of the payment order that was erroneously executed and all previous senders in the funds transfer are not obliged to pay the payment orders they issued. The issuer of the erroneous order is entitled to recover from the beneficiary of the order the payment received to the extent allowed by the law governing mistake and restitution.

Section 4A–304. Duty of Sender To Report Erroneously Executed Payment Order

If the sender of a payment order that is erroneously executed as stated in section 4A–303 receives notification from the receiving

bank that the order was executed or that the sender's account was debited with respect to the order, the sender has a duty to exercise ordinary care to determine, on the basis of information available to the sender, that the order was erroneously executed and to notify the bank of the relevant facts within a reasonable time not exceeding 90 days after the notification from the bank was received by the sender. If the sender fails to perform that duty, the bank is not obliged to pay interest on any amount refundable to the sender under section 4A–402(d) for the period before the bank learns of the execution error. The bank is not entitled to any recovery from the sender on account of a failure by the sender to perform the duty stated in this section.

Section 4A–305. Liability for Late or Improper Execution or Failure To Execute Payment Order

(a) If a funds transfer is completed but execution of a payment order by the receiving bank in breach of section 4A–302 results in delay in payment to the beneficiary, the bank is obliged to pay interest to either the originator or the beneficiary of the funds transfer for the period of delay caused by the improper execution. Except as provided in subsection (c), additional damages are not recoverable.

(b) If execution of a payment order by a receiving bank in breach of section 4A–302 results in (i) noncompletion of the funds transfer, (ii) failure to use an intermediary bank designated by the originator, or (iii) issuance of a payment order that does not comply with the terms of the payment order of the originator, the bank is liable to the originator for its expenses in the funds transfer and for incidental expenses and interest losses, to the extent not covered by subsection (a), resulting from the improper execution. Except as provided in subsection (c), additional damages are not recoverable.

(c) In addition to the amounts payable under subsections (a) and (b), damages, including consequential damages, are recoverable to the extent provided in an express written agreement of the receiving bank.

(d) If a receiving bank fails to execute a payment order it was obliged by express agreement to execute, the receiving bank is liable to the sender for its expenses in the transaction and for incidential expenses and interest losses resulting from the failure to execute. Additional damages, including consequential damages, are recoverable to the extent provided in an express written agreement of the receiving bank, but are not otherwise recoverable.

(e) Reasonable attorney's fees are recoverable if demand for compensation under subsection (a) or (b) of this section is made and refused before an action is brought on the claim. If a claim is made for breach of an agreement under subsection (d) and the agreement does not provide for damages, reasonable attorney's fees are recoverable if demand for compensation under subsection (d) is made and refused before an action is brought on the claim.

(f) Except as stated in this section, the liability of a receiving bank under subsections (a) and (b) of this section may not be varied by agreement.

Part 4—Payment

Section 4A–401. Payment Date

Payment date of a payment order means the day on which the amount of the order is payable to the beneficiary by the beneficiary's bank. The payment date may be determined by instruction of the sender but cannot be earlier than the day the order is received by the beneficiary's bank and, unless otherwise determined, is the day the order is received by the beneficiary's bank.

Section 4A–402. Obligation of Sender To Pay Receiving Bank

(a) This section is subject to sections 4A–205 and 4A–207.

(b) With respect to a payment order issued to the beneficiary's bank, acceptance of the order by the bank obliges the sender to pay the bank the amount of the order, but payment is not due until the payment date of the order.

(c) This subsection is subject to subsection (e) and to section 4A–303. With respect to a payment order issued to a receiving bank other than the beneficiary's bank, acceptance of the order by the receiving bank obliges the sender to pay the bank the amount of the sender's order. Payment by the sender is not due until the execution date of the sender's order. The obligation of that sender to pay its payment order is excused if the funds transfer is not completed by acceptance by the beneficiary's bank of a payment order instructing payment to the beneficiary of that sender's payment order.

(d) If the sender of a payment order pays the order and was not obliged to pay all or part of the amount paid, the bank receiving payment is obliged to refund payment to the extent the sender was not obliged to pay. Except as provided in sections 4A–204 and 4A–304, interest is payable on the refundable amount from the date of payment.

(e) If a funds transfer is not completed as stated in subsection (c) and an intermediary bank is obliged to refund payment as stated in subsection (d) but is unable to do so because not permitted by applicable law or because the bank suspends payments, a sender in the funds transfer that executed a payment order in compliance with an instruction, as stated in section 4A–302(a)(1), to route the funds transfer through that intermediary bank is entitled to receive or retain payment from the sender of the payment order that it accepted. The first sender in the funds transfer that issued an instruction requiring routing through that intermediary bank is subrogated to the right of the bank that paid the intermediary bank to refund as stated in subsection (d) of this section.

(f) The right of the sender of a payment order to be excused from the obligation to pay the order as stated in this subsection (c) or to receive refund under subsection (d) may not be varied by agreement.

Section 4A–403. Payment by Sender to Receiving Bank

(a) Payment of the sender's obligation under section 4A–402 to pay the receiving bank occurs as follows:

(1) If the sender is a bank, payment occurs when the receiving bank receives final settlement of the obligation through a Federal Reserve Bank or through a funds-transfer system.

(2) If the sender is a bank and the sender (i) credited an account of the receiving bank with the sender, or (ii) caused an account of the receiving bank in another bank to be credited, payment occurs when the credit is withdrawn or, if not withdrawn, at midnight of the day on which the credit is withdrawable and the receiving bank learns of that fact.

(3) If the receiving bank debits an account of the sender with the receiving bank, payment occurs when the debit is made to the extent the debit is covered by a withdrawable credit balance in the account.

(b) If the sender and receiving bank are members of a funds-transfer system that nets obligations multilaterally among participants, the receiving bank receives final settlement when settlement is complete in accordance with the rules of the system. The obligation of the sender to pay the amount of a payment order transmitted through the funds-transfer system may be satisfied, to the extent permitted by the rules of the system, by setting off and applying against the sender's obligation the right of the sender to receive payment from the receiving bank of the amount of any other payment order transmitted to the sender by the receiving bank through the funds-transfer system. The aggregate balance of obligations owed by each sender to each receiving bank in the funds-transfer system may be satisfied, to the extent permitted by the rules of the system, by setting off and applying against that balance the aggregate balance of obligations owed to the sender by other members of the system. The aggregate balance is determined after the right of setoff stated in the second sentence of this subsection has been exercised.

(c) If two banks transmit payment orders to each other under an agreement that settlement of the obligations of each bank to the other under section 4A–402 will be made at the end of the day or other period, the total amount owed with respect to all orders transmitted by one bank shall be set off against the total amount owed with respect to all orders transmitted by the other bank. To the extent of the setoff, each bank has made payment to the other.

(d) In a case not covered by paragraph (a) of this section, the time when payment of the sender's obligation under section 4A–402(b) or 4A–402(c) occurs is governed by applicable principles of law that determine when an obligation is satisfied.

Section 4A–404. Obligation of Beneficiary's Bank to Pay and Give Notice to Beneficiary

(a) Subject to sections 4A–211(e), 4A–405(d), and 4A–405(e), if a beneficiary's bank accepts a payment order, the bank is obliged to pay the amount of the order to the beneficiary of the order. Payment is due on the payment date of the order, but if acceptance occurs on the payment date after the close of the funds-transfer business day of the bank, payment is due on the next funds-transfer business day. If the bank refuses to pay after demand by the

beneficiary and receipt of notice of particular circumstances that will give rise to consequential damages as a result of nonpayment, the beneficiary may recover damages resulting from the refusal to pay to the extent the bank had notice of the damages, unless the bank proves that it did not pay because of a reasonable doubt concerning the right of the beneficiary to payment.

(b) If a payment order accepted by the beneficiary's bank instructs payment to an account of the beneficiary, the bank is obliged to notify the beneficiary of receipt of the order before midnight of the next funds-transfer business day following the payment date. If the payment order does not instruct payment to an account of the beneficiary, the bank is required to notify the beneficiary only if notice is required by the order. Notice may be given by first class mail or any other means reasonable in the circumstances. If the bank fails to give the required notice, the bank is obliged to pay interest to the beneficiary on the amount of the payment order from the day notice should have been given until the day the beneficiary learned of receipt of the payment order by the bank. No other damages are recoverable. Reasonable attorney's fees are also recoverable if demand for interest is made and refused before an action is brought on the claim.

(c) The right of a beneficiary to receive payment and damages as stated in subsection (a) may not be varied by agreement or a funds-transfer system rule. The right of a beneficiary to be notified as stated in subsection (b) of this section may be varied by agreement of the beneficiary or by a funds-transfer system rule if the beneficiary is notified of the rule before initiation of the funds transfer.

Section 4A–405. Payment by Beneficiary's Bank To Beneficiary

(a) If the beneficiary's bank credits an account of the beneficiary of a payment order, payment of the bank's obligation under section 4A–404(a) occurs when and to the extent (i) the beneficiary is notified of the right to withdraw the credit, (ii) the bank lawfully applies the credit to a debt of the beneficiary, or (iii) funds with respect to the order are otherwise made available to the beneficiary by the bank.

(b) If the beneficiary's bank does not credit an account of the beneficiary of a payment order, the time when payment of the bank's obligation under section 4A–404(a) occurs is governed by principles of law that determine when an obligation is satisfied.

(c) Except as stated in paragraphs (d) and (e) of this section, if the beneficiary's bank pays the beneficiary of a payment order under a condition to payment or agreement of the beneficiary giving the bank the right to recover payment from the beneficiary if the bank does not receive payment of the order, the condition to payment or agreement is not enforceable.

(d) A funds-transfer system rule may provide that payments made to beneficiaries of funds transfer made through the system are provisional until receipt of payment by the beneficiary's bank of the payment order it accepted. A beneficiary's bank that makes a payment that is provisional under the rule is entitled to refund from the beneficiary if (i) the rule requires that both the beneficiary and the originator be given notice of the provisional nature of the payment before the funds transfer is initiated, (ii) the beneficiary, the beneficiary's bank and the originator's bank agreed to be bound by the rule, and (iii) the beneficiary's bank did not receive payment of the payment order that it accepted. If the beneficiary is obliged to refund payment to the beneficiary's bank, acceptance of the payment order by the beneficiary's bank is nullified and no payment by the originator of the funds transfer to the beneficiary occurs under section 4A–406.

(e) This paragraph applies to a funds transfer that includes a payment order transmitted over a funds-transfer system that (i) nets obligations-multilaterally among participants, and (ii) has in effect a loss-sharing agreement among participants for the purpose of providing funds necessary to complete settlement of the obligations of one or more participants that do not meet their settlement obligations. If the beneficiary's bank in the funds transfer accepts a payment order and the system fails to complete settlement pursuant to its rules with respect to any payment order in the funds transfer, (i) the acceptance by the beneficiary's bank is nullified and no person has any right or obligation based on the acceptance, (ii) the beneficiary's bank is entitled to recover payment from the beneficiary, (iii) no payment by the originator to the beneficiary occurs under section 4A–406, and (iv) subject to section 4A–402(e), each sender in the funds transfer is excused from its obligation to pay its payment order under section 4A–402(c) because the funds transfer has not been completed.

Section 4A–406. Payment by Originator to Beneficiary; Discharge of Underlying Obligation

(a) Subject to sections 4A–211(e), 4A–405(d), and 4A–405(e), the originator of a funds transfer pays the beneficiary of the originator's payment order (i) at the time a payment order for the benefit of the beneficiary is accepted by the beneficiary's bank in the funds transfer and (ii) in an amount equal to the amount of the order *40813 accepted by the beneficiary's bank, but not more than the amount of the originator's order.

(b) If payment under paragraph (a) of this section is made to satisfy an obligation, the obligation is discharged to the same extent discharge would result from payment to the beneficiary of the same amount in money, unless (i) the payment under subsection (a) was made by a means prohibited by the contract of the beneficiary with respect to the obligation; (ii) the beneficiary, within a reasonable time after receiving notice of receipt of the order by the beneficiary's bank, notified the originator of the beneficiary's refusal of the payment; (iii) funds with respect to the order were not withdrawn by the beneficiary or applied to a debt of the beneficiary; and (iv) the beneficiary would suffer a loss that could reasonably have been avoided if payment had been made by a means complying with the contract. If payment by the originator does not result in discharge under this section, the originator is subrogated to the rights of the beneficiary to receive payment from the beneficiary's bank under section 4A–404(a).

(c) For the purpose of determining whether discharge of an obligation occurs under paragraph (b) of this section, if the beneficiary's bank accepts a payment order in an amount equal to the amount of the originator's payment order less charges of one or more receiving banks in the funds transfer, payment to the beneficiary is deemed to be in the amount of the originator's order unless upon demand by the beneficiary the originator does not pay the beneficiary the amount of the deducted charges.

(d) Rights of the originator or of the beneficiary of a funds transfer under this section may be varied only by agreement of the originator and the beneficiary.

Part 5—Miscellaneous Provisions

Section 4A–501. Variation by Agreement and Effect of Funds-Transfer System Rule

(a) Except as otherwise provided in this Article, the rights and obligations of a party to a funds transfer may be varied by agreement of the affected party.

(b) Funds-transfer system rule means a rule of an association of banks (i) governing transmission of payment orders by means of a funds-transfer system of the association or rights and obligations with respect to those orders, or (ii) to the extent the rule governs rights and obligations between banks that are parties to a funds transfer in which a Federal Reserve Bank, acting as an intermediary bank, sends a payment order to the beneficiary's bank. Except as otherwise provided in this Article, a funds-transfer system rule governing rights and obligations between participating banks using the system may be effective even if the rule conflicts with this Article and indirectly affects another party to the funds transfer who does not consent to the rule. A funds-transfer system rule may also govern rights and obligations of parties other than participating banks using the system to the extent stated in sections 4A–404(c), 4A–405(d), and 4A–507(c).

Section 4A–502. Creditor Process Served on Receiving Bank; Setoff by Beneficiary's Bank

(a) As used in this section, creditor process means levy, attachment, garnishment, notice of lien, sequestration, or similar process issued by or on behalf of a creditor or other claimant with respect to an account.

(b) This subsection applies to creditor process with respect to an authorized account of the sender of a payment order if the creditor process is served on the receiving bank. For the purpose of determining rights with respect to the creditor process, if the receiving bank accepts the payment order the balance in the authorized account is deemed to be reduced by the amount of the payment order to the extent the bank did not otherwise receive payment of the order, unless the creditor process is served at a time and in a manner affording the bank a reasonable opportunity to act on it before the bank accepts the payment order.

(c) If a beneficiary's bank has received a payment order for payment to the beneficiary's account in the bank, the following rules apply:

(1) The bank may credit the beneficiary's account. The amount credited may be set off against an obligation owed by the beneficiary to the bank or may be applied to satisfy creditor process served on the bank with respect to the account.

(2) The bank may credit the beneficiary's account and allow withdrawal of the amount credited unless creditor process with respect to the account is served at a time and in a manner affording the bank a reasonable opportunity to act to prevent withdrawal.

(3) If creditor process with respect to the beneficiary's account has been served and the bank has had a reasonable opportunity to act on it, the bank may not reject the payment order except for a reason unrelated to the service of process.

(d) Creditor process with respect to a payment by the originator to the beneficiary pursuant to a funds transfer may be served only on the beneficiary's bank with respect to the debt owned by that bank to the beneficiary. Any other bank served with the creditor process is not obliged to act with respect to the process.

Section 4A–503. Injunction or Restraining Order With Respect to Funds Transfer

For proper cause and in compliance with applicable law, a court may restrain:

(i) a person from issuing a payment order to initiate a funds transfer,

(ii) an originator's bank from executing the payment order of the originator, or

(iii) the beneficiary's bank from releasing funds to the beneficiary or the beneficiary from withdrawing the funds. A court may not otherwise restrain a person from issuing a payment order, paying or receiving payment of a payment order, or otherwise acting with respect to a funds transfer.

Section 4A–504. Order In Which Items and Payment Orders May Be Charged to Account; Order of Withdrawals from Account

(a) If a receiving bank has received more than one payment order of the sender or one or more payment orders and other items that are payable from the sender's account, the bank may charge the sender's account with respect to the various orders and items in any sequence.

(b) In determining whether a credit to an account has been withdrawn by the holder of the account or applied to a debt of the holder of the account, credits first made to the account are first withdrawn or applied.

Section 4A–505. Preclusion of Objection to Debit of Customer's Account

If a receiving bank has received payment from its customer with respect to a payment order issued in the name of the customer as sender and accepted by the bank, and the customer received notification reasonably identifying the order, the customer is precluded from asserting that the bank is not entitled to retain the payment unless the customer notifies the bank of the customer's objection to the payment within one year after the notification was received by the customer.

Section 4A–506. Rate of Interest

(a) If, under this Article, a receiving bank is obliged to pay interest with respect to a payment order issued to the bank, the amount payable may be determined (i) by agreement of the sender and receiving bank, or (ii) by a funds-transfer system rule if the payment order is transmitted through a funds-transfer system.

(b) If the amount of interest is not determined by an agreement or rule as stated in subsection (a), the amount is calculated by multiplying the applicable Federal Funds rate by the amount on which interest is payable, and then multiplying the product by the number of days for which interest is payable. The applicable Federal Funds rate is the average of the Federal Funds rates published by the Federal Reserve Bank of New York for each of the days for which interest is payable divided by 360. The Federal Funds rate for any day on which a published rate is not available is the same as the published rate for the next preceding day for which there is a published rate. If a receiving bank that accepted a payment order is required to refund payment to the sender of the order because the funds transfer was not completed, but the failure to complete was not due to any fault by the bank, the interest payable is reduced by a percentage equal to the reserve requirement on deposits of the receiving bank.

Section 4A–507. Choice of Law

(a) The following rules apply unless the affected parties otherwise agree or paragraph (c) of this section applies:

(1) The rights and obligations between the sender of a payment order and the receiving bank are governed by the law of the jurisdiction in which the receiving bank is located.

(2) The rights and obligations between the beneficiary's bank and the beneficiary are governed by the law of the jurisdiction in which the beneficiary's bank is located.

(3) The issue of when payment is made pursuant to a funds transfer by the originator to the beneficiary is governed by the law of the jurisdiction in which the beneficiary's bank is located.

(b) If the parties described in each subsection of paragraph (a) of this section have made an agreement selecting the law of a particular jurisdiction to govern rights and obligations between each other, the law of that jurisdiction governs those rights and obligations, whether or not the payment order or the funds transfer bears a reasonable relation to that jurisdiction.

(c) A funds-transfer system rule may select the law of a particular jurisdiction to govern (i) rights and obligations between participating banks with respect to payment orders transmitted or processed through the system, or (ii) the rights and obligations of some or all parties to a funds transfer any part of which is carried out by means of the system. A choice of law made pursuant to clause (i) is binding on participating banks. A choice of law made pursuant to clause (ii) is binding on the originator, other sender, or a receiving bank having notice that the funds-transfer system might be used in the funds transfer and of the choice of law by the system when the originator, other sender, or receiving bank issued or accepted a payment order. The beneficiary of a funds transfer is bound by the choice of law if, when the funds transfer is initiated, the beneficiary has notice that the funds-transfer system might be used in the funds transfer and of the choice of law by the system. The law of a jurisdiction selected pursuant to this subsection may govern, whether or not that law bears a reasonable relation to the matter in issue.

(d) In the event of inconsistency between an agreement under paragraph (b) of this section and a choice-of-law rule under paragraph (c) of this section, the agreement under paragraph (b) prevails.

(e) If a funds transfer is made by use of more than one funds-transfer system and there is inconsistency between choice-of-law rules of the systems, the matter in issue is governed by the law of the selected jurisdiction that has the most significant relationship to the matter in issue.

By order of the Board of Governors of the Federal Reserve System.

Ann E. Misback,

Secretary of the Board.

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Part III

Department of the Treasury

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions; Notice

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Notice of OFAC Sanctions Actions

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The U.S. Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing updates to 740 entries on OFAC's Specially Designated Nationals and Blocked Persons List (SDN List), Non-SDN Menu Based Sanctions List (NS–MBS List), and Sectoral Sanctions Identifications List (SSI List).

DATES: See **SUPPLEMENTARY INFORMATION** section for applicable date(s).

FOR FURTHER INFORMATION CONTACT: OFAC: Andrea Gacki, Director, tel.: 202–622–2490; Associate Director for Global Targeting, tel.: 202–622–2420; Assistant Director for Licensing, tel.: 202–622–2480; Assistant Director for Regulatory Affairs, tel.: 202–622–4855; or the Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490.

SUPPLEMENTARY INFORMATION:

Electronic Availability

The SDN List, NS–MBS List, SSI List, and additional information concerning OFAC sanctions programs are available on OFAC's website (*www.treasury.gov/ofac*).

Notice of OFAC Actions

On August 2, 2017, the President signed into law the ''Countering America's Adversaries Through Sanctions Act'' (CAATSA), Public Law 115–44. Section 228 of CAATSA amends the Sovereignty, Integrity, Democracy, and Economic Stability of Ukraine Act (SSIDES), appending a new Section 10, codified at 22 U.S.C. 8909. Section 10 of SSIDES mandates the imposition of sanctions with respect to a foreign person determined to have knowingly, on or after August 2, 2017, facilitated a significant transaction or transactions, including deceptive or structured transactions, for or on behalf of any person subject to sanctions pursuant to, *inter alia,* Executive Order 13660 of March 6, 2014, Executive Order 13661 of March 16, 2014, Executive Order 13662 of March 20, 2014, Executive Order 13685 of December 19, 2014, or SSIDES. Accordingly, on April 29, 2022, OFAC added the reference feature ''Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209'' to the 740 SDN List, NS–MBS List, and SSI List entries listed below. On April 29, 2022, OFAC also updated the SDN List entries of two individuals listed below that were previously tagged ''CAATSA-Russia'' to the new ''SSIDES'' reference tag. The individuals were originally designated pursuant to SSIDES, as amended by Section 228 of CAATSA. The SSIDES tag more specifically identifies the authority under which these two individuals were designated.

Individuals

BILLING CODE 4810–AL–P

1. ABISOV, Sergei (a.k.a. ABISOV, Sergei Vadimovich); DOB 27 Nov 1967; POB Simferopol, Crimea, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

2. ABRAMOV, Valeri Vyacheslavovich (a.k.a. ABRAMOV, Valerii Vyacheslavovich), St. Petersburg, Russia; 133, ul. Chernyshevskogo, Vologda, Vologodskaya Obl 160019, Russia; 122 Grazhdanskiy Prospect, Suite 5, Liter A, St. Petersburg 195267, Russia; DOB 06 Jan 1963; POB Tula, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 780201346432 (Russia); General Director (individual) [UKRAINE-EO13685] (Linked To: VAD, AO).

3. AFANASYEVA, Yulia Andreevna (Cyrillic: АФАНАСЬЕВА, Юлия Андреевна), St. Petersburg, Russia; DOB 24 Feb 1988; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 782516327349 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848].

4. AKIMOV, Andrey Igorevich, Russia; DOB 1953; POB Leningrad, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairman of the Management Board of Gazprombank (individual) [UKRAINE-EO13661].

5. AKSYONOV, Sergey Valeryevich (a.k.a. AKSENOV, Sergei; a.k.a. AKSYONOV, Sergei; a.k.a. AKSYONOV, Sergey; a.k.a. AKSYONOV, Sergiy; a.k.a. AKSYONOV, Serhiy Valeryevich); DOB 26 Nov 1972; POB Balti, Moldova; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

6. ALTABAEVA, Ekaterina Borisovna (Cyrillic: АЛТАБАЕВА, Екатерина Борисовна) (a.k.a. ALTABAEVA, Kateryna Borysivna (Cyrillic: АЛТАБАЄВА, Катерина Борисівна)), Sevastopol, Ukraine; DOB 27 May 1956; POB Uglich, Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related

Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

7. ANTIPOV, Igor Yurievich (a.k.a. ANTIPOV, Ihor), 23 Prospect Mayakovskogo, Apt. 110, Donetsk, Ukraine; 26 Ulitsa Turbinnaya, Donetsk, Ukraine; DOB 26 May 1961; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

8. ANTYUFEYEV, Vladimir (a.k.a. ALEXANDROV, Vladimir Gheorghievici; a.k.a. ANTIUFEEV, Vladimir Iurievici; a.k.a. ANTIUFEYEV, Vladimir; a.k.a. ANTYUFEYEV, Vladimir Yuryevich; a.k.a. SHEVTSOV, Vadim; a.k.a. SHEVTSOV, Vadim Gheorghievici; a.k.a. SHEVTSOV, Vladimir); DOB 19 Feb 1951; POB Novosibirsk, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

9. ANYUKHINA, Anna Vladimirovna; DOB 14 Jan 1985; POB Naidyonovka, Crimean Oblast, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

10. ARBUZOV, Serhiy (a.k.a. ARBUZOV, Sergey G.; a.k.a. ARBUZOV, Serhiy Hennadiyovych); DOB 24 Mar 1976; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Former First Deputy Prime Minister of Ukraine (individual) [UKRAINE-EO13660].

11. AZAROV, Mykola Yanovych (a.k.a. AZAROV, Mykola Nikolai Yanovych; a.k.a. PAKHLO, Nikolai Yanovich); DOB 17 Dec 1947; POB Kaluga, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Former Prime Minister of Ukraine (individual) [UKRAINE-EO13660].

12. BABAKOV, Alexander Mikhailovich (a.k.a. BABAKOV, Aleksandr Mikhailovich; a.k.a. BABAKOV, Alexander Mihajlovich), Serbia; DOB 08 Feb 1963; POB Chisinau, Moldova; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Special Presidential Representative for Cooperation with Organizations Representing Russians Living Abroad (individual) [UKRAINE-EO13661].

13. BAKHAREV, Konstantin Mikhailovich; DOB 20 Oct 1972; POB Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

14. BALBEK, Ruslan Ismailovich; DOB 28 Aug 1977; POB Uzbekistan; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

15. BASOV, Aleksandr Vasilevich (a.k.a. BASOV, Alexander; a.k.a. BASOV, Oleksandr), Ukraine; DOB 16 Oct 1971; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [SSIDES] (Linked To: MINISTRY OF STATE SECURITY).

16. BASOVA, Lidia Aleksandrovna (Cyrillic: БАСОВА, Лидия Александровна) (a.k.a. BASOVA, Lidiya Oleksandrivna (Cyrillic: БАСОВА, Лідія Олександрівна)), Sevastopol, Ukraine; DOB 1972; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

17. BASURIN, Eduard (a.k.a. BASURIN, Eduard Aleksandrovich); DOB 27 Jun 1966; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

18. BELAVENCEV, Oleg Evgenyevich (a.k.a. BELAVENTSEV, Oleg); DOB 15 Sep 1949; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Russian Presidential Envoy to the Crimean District; Member of the Russian Security Council (individual) [UKRAINE-EO13661].

19. BELIK, Dmitry Anatolievich; DOB 17 Oct 1969; POB Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

20. BEREZIN, Fedor (a.k.a. BEREZIN, Fyodor; a.k.a. BEREZIN, Fyodor Dmitrievich); DOB 07 Feb 1960; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

21. BESEDA, Sergey (a.k.a. BESEDA, Sergei; a.k.a. BESEDA, Sergei Orestovoch); DOB 1954; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Commander of the Fifth Service of the FSB; Commander of the Service for Operational Information and International

Communications of the FSB; FSB Colonel General; Colonel-General (individual) [UKRAINE-EO13661].

22. BEZLER, Igor Nikolayevich (a.k.a. BEZLER, Igor; a.k.a. BEZLER, Igor Mykolaiovych; a.k.a. BEZLER, Ihor); DOB 1965; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

23. BOGDANOV, Vladimir Leonidovich, Russia; DOB 28 May 1951; POB Suyerka, Uporovsky District, Tyumen Region, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13662].

24. BOHATYRIOVA, Raisa Vasylivna (a.k.a. BOGATYRIOVA, Raisa; a.k.a. BOGATYROVA, Raisa; a.k.a. BOGATYRYOVA, Raisa; a.k.a. BOHATYREVA, Raisa; a.k.a. BOHATYROVA, Raisa; a.k.a. BOHATYRYOVA, Raisa; a.k.a. BOHATYRYOVA, Rayisa); DOB 06 Jan 1953; POB Bakal, Chelyabinsk, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

25. BOLOTOV, Valery (a.k.a. BOLOTOV, Valeri; a.k.a. BOLOTOV, Valeriy); DOB 1970; alt. DOB 1971; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

26. BORODAY, Alexander Yuryevich (Cyrillic: БОРОДАЙ, Александр Юрьевич) (a.k.a. BORODAI, Aleksandr), Russia; DOB 25 Jul 1972; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Member of the State Duma of the Federal Assembly of the Russian Federation (individual) [UKRAINE-EO13660] [RUSSIA-EO14024].

27. BORODULINA, Svetlana Alekseevna; DOB 20 Dec 1973; POB Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

28. BORTNIKOV, Alexander Vasilievich (Cyrillic: БОРТНИКОВ, Александр Васильевич) (a.k.a. BORTNIKOV, Alexander), Moscow, Russia; DOB 15 Nov 1951; POB Perm, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [NPWMD] [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: FEDERAL SECURITY SERVICE).

29. BOYARKIN, Victor Alekseyevich (Cyrillic: БОЯРКИН, Виктор Алексеевич) (a.k.a. BOYARKIN, V.A. (Cyrillic: БОЯРКИН, В.А.); a.k.a. BOYARKIN, Victor; a.k.a. BOYARKIN, Victor Alekseevich; a.k.a. BOYARKIN, Viktor), #189, 20, BLD1, Generala Beloborodova, Moscow, Federal District 125222, Russia; DOB 12 Oct 1958; POB Meschovsk, Russia; nationality Russia; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 200042334 (Russia); alt. Passport 642348547 (Russia) (individual) [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich).

30. BULGAKOV, Vadim Viktorovich, Crimea, Ukraine; DOB 30 Jan 1969; POB Simferopol, Crimea, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

31. BULYUTIN, Andrey, London, United Kingdom; DOB 19 Oct 1979; POB Izhevsk, Russia; citizen Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 515356705 (Russia); Business Development Manager at Kalashnikov Concern (individual) [UKRAINE-EO13661].

32. BUSHMIN, Evgeni Viktorovich (a.k.a. BUSHMIN, Evgeny; a.k.a. BUSHMIN, Yevgeny); DOB 10 Oct 1958; POB Lopatino, Sergachiisky Region, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Speaker of the Federation Council of the Russian Federation; Chairman of the Council of the Federation Budget and Financial Markets Committee (individual) [UKRAINE-EO13661].

33. BYCHKOV, Pyotr Aleksandrovich (Cyrillic: БЫЧКОВ, Пётр Александрович) (a.k.a. BICHKOV, Peter Alexandrovich; a.k.a. BYCHKOV, Petr Alexandrovich), St. Petersburg, Russia; DOB 25 Nov 1987; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 782513941021 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

34. CHALIY, Aleksei Mikhailovich (a.k.a. CHALIY, Aleksei; a.k.a. CHALIY, Aleksey Mikhailovich; a.k.a. CHALIY, Aleksey Mykhaylovych; a.k.a. CHALIY, Alexei; a.k.a. CHALIY, Mikhailovich Oleksiy; a.k.a. CHALY, Aleksey Mikhailovich; a.k.a. CHALY, Alexei; a.k.a. CHALYI, Aleksei; a.k.a. CHALYI, Aleksiy); DOB 13 Jun 1961; POB Sevastopol, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Mayor of

Sevastopol; Chairman of the Coordination Council for the Establishment of the Sevastopol Municipal Administration (individual) [UKRAINE-EO13660].

35. CHEMEZOV, Sergei (a.k.a. CHEMEZOV, Sergey; a.k.a. CHEMEZOV, Sergey Victorovich), 21 Gogolevskiy Bulvar, Moscow, Russia; DOB 20 Aug 1952; POB Cheremkhovo, Irkutsk, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 770202363089 (Russia) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

36. CHEREZOV, Andrey Vladimirovich (a.k.a. CHEREZOV, Andrei; a.k.a. CHEREZOV, Andrey), Russia; DOB 12 Oct 1967; POB Salair, Kemerovsakya Oblast, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Minister of Energy in the Department of Operational Control and Management in the Electric Power Industry (individual) [UKRAINE-EO13661].

37. CHERNYKH, Tatiana V (a.k.a. CHERNYKH, Tatiana); DOB 25 Sep 1972; nationality Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 712491743 (Russia) expires 17 Nov 2020; Foreign Relations Manager at Izhevsky Mekhanichesky Zavod JSC (individual) [UKRAINE-EO13661] (Linked To: IZHEVSKY MEKHANICHESKY ZAVOD JSC).

38. DANILENKO, Sergei Andreevich (Cyrillic: ДАНИЛЕНКО, Сергей Андреевич), Sevastopol, Ukraine; DOB 14 Mar 1960; POB Krasnodar, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

39. DEDOV, Mikhail Aleksandrovich, Russia; DOB 04 Sep 1952; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

40. DEMIDOV, Valentin Valentinovich (a.k.a. DEMYDOV, Valentyn); DOB 28 Nov 1976; POB Petrovsky-Dobrinsky Region, Lipestkoy Oblast, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

41. DERIPASKA, Oleg Vladimirovich, Moscow, Russia; 64 Severnaya Street, Oktyabrsky, Khutor, Ust-Labinsky District, Krasnodar Territory, 352332, Russia; 5, Belgrave Square, Belgravia, London SW1X 8PH, United Kingdom; DOB 02 Jan 1968; POB Dzerzhinsk, Nizhny Novgorod Region, Russia; citizen Russia; alt.

citizen Cyprus; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [UKRAINE-EO13662].

42. DEYNEGO, Vladyslav Nykolayevych (a.k.a. DEYNEGO, Vladislav Nykolayevich); DOB 12 Mar 1964; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

43. DIKIY, Aleksey Aleksandrovich (a.k.a. DIKIJ, Aleksej Aleksandrovich; a.k.a. DIKIY, Olexiy Oleksandrovych; a.k.a. DYKYY, Oleksiy), Donetsk, Ukraine; DOB 05 Jul 1974; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

44. DUGIN, Aleksandr (a.k.a. DUGIN, Aleksandr Gelyevich; a.k.a. DUGIN, Alexander Gelyevich); DOB 07 Jan 1962; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

45. DUGINA, Darya Aleksandrovna, Russia; DOB 15 Dec 1992; nationality Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: UNITED WORLD INTERNATIONAL).

46. DYUMIN, Alexey Gennadyevich (a.k.a. DYUMIN, Alexei), Russia; DOB 28 Aug 1972; POB Kursk, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

47. DZHABAROV, Vladimir Michailovich; DOB 29 Sep 1952; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; First Deputy Chairman of the International Affairs Committee of the Federation Council of the Russian Federation (individual) [UKRAINE-EO13661].

48. FRADKOV, Mikhail Efimovich (Cyrillic: ФРАДКОВ, Михаил Ефимович), Russia; DOB 01 Sep 1950; POB Kurumoch, Kuibyshev Region, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Director of the Russian Institute for Strategic Studies (individual) [UKRAINE-EO13661].

49. FURSENKO, Andrei Alexandrovich (a.k.a. FURSENKO, Andrei; a.k.a. FURSENKO, Andrey); DOB 17 Jul 1949; POB St. Petersburg, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aide to the President of the Russian Federation (individual) [UKRAINE-EO13661].

50. FURSENKO, Sergei (a.k.a. FURSENKO, Sergey; a.k.a. FURSENKO, Sergey Aleksandrovich); DOB 11 Mar 1954; POB Saint-Petersburg (F.K.A. Leningrad), Russian Federation; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

51. GANOV, Alexander Nikolaevich (Cyrillic: ГАНОВ, Александр Николаевич) (a.k.a. GANOV, Aleksandr Nikolaevich), Russia; DOB 24 Oct 1974; POB Voronezh, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13685] (Linked To: GRAND SERVICE EXPRESS).

52. GIRKIN, Igor Vsevolodovich (a.k.a. STRELKOV, Igor Ivanovich; a.k.a. STRELKOV, Ihor; a.k.a. STRELOK, Igor), Shenkurskiy Passage (Proyezd), House 8-6, Apartment 136, Moscow, Russia; DOB 17 Dec 1970; citizen Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 4506460961 (individual) [UKRAINE-EO13660].

53. GLAZYEV, Sergey (a.k.a. GLAZYEV, Sergei); DOB 01 Jan 1961; POB Zaporozhye, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Presidential Advisor (individual) [UKRAINE-EO13661].

54. GOTSANYUK, Yuri Mikhailovich (Cyrillic: ГОЦАНЮК, Юрий Михайлович) (a.k.a. GOTSANIUK, Jurij Mikhailovich; a.k.a. GOTSANYUK, Jury Mikhailovich; a.k.a. HOTSANIUK, Iurii Mykhailovych (Cyrillic: ГОЦАНЮК, Юрій Михайлович)), Simferopol, Ukraine; DOB 18 Jul 1966; POB Nove Selo, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

55. GOVORUN, Oleg, Russia; DOB 15 Jan 1969; POB Bratsk, Irkutsk Region, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Presidential Directorate for Social and Economic Cooperation with the Commonwealth of Independent States Member Countries, the Republic of Abkhazia, and the Republic of South Ossetia (individual) [UKRAINE-EO13661].

56. GRABCHAK, Evgeniy Petrovich (a.k.a. GRABCHAK, Evgeniy; a.k.a. GRABCHAK, Evgeny), Russia; DOB 18 Jul 1981; POB Ust-Labinsk, Krasnodar Region, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Department of Operational Control and Management in the Electric Power Industry in the Energy Ministry of the Russian Federation (individual) [UKRAINE-EO13661].

57. GRANOVSKY, Aleksey Ivanovich, 41 Ulitsa Malakhova, Donetsk, Donetsk Region, Ukraine; DOB 03 Nov 1973; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

58. GROMOV, Alexei Alexeyevich, Russia; DOB 31 May 1960; POB Zagorsk (Sergiev, Posad), Moscow Region, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; First Deputy Chief of Staff of the Presidential Executive Office; First Deputy Head of Presidential Administration; First Deputy Presidential Chief of Staff (individual) [UKRAINE-EO13661] [ELECTION-EO13848].

59. GUBAREV, Pavel (a.k.a. HUBARYEV, Pavlo); DOB 10 Feb 1983; POB Sievierodonetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

60. GUBAREVA, Ekaterina (a.k.a. GUBAREVA, Yekaterina); DOB 05 Jul 1983; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

61. IOFFE, Eduard A (a.k.a. IOFFE, Eduard); DOB 07 Jun 1970; nationality Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 713023636 (Russia) expires 20 Jan 2021; Deputy General Director for Commercial Affairs at Kalashnikov Concern and Izhevsky Mekhanichesky Zavod JSC (individual) [UKRAINE-EO13661] (Linked To: KALASHNIKOV CONCERN; Linked To: IZHEVSKY MEKHANICHESKY ZAVOD JSC).

62. ISMAILOV, Zaur; DOB 25 Jul 1975; alt. DOB 25 Jul 1978; POB Krasny Luch, Voroshilovgrad, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

63. IVAKIN, Yuriy Vladimirovich (a.k.a. IVAKIN, Yurii); DOB 13 Aug 1954; POB Perevalsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

64. IVANOV, Sergei Borisovich (Cyrillic: ИВАНОВ, Сергей Борисович) (a.k.a. IVANOV, Sergei), Moscow, Russia; DOB 31 Jan 1953; POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

65. IVANOV, Victor Petrovich (a.k.a. IVANOV, Viktor); DOB 12 May 1950; alt. DOB 1952; POB Novgorod, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Director of the Federal Drug Control Service of the Russian Federation (FSKN) (individual) [UKRAINE-EO13661].

66. JAROSH, Petr Grigorievich (a.k.a. YAROSH, Petro; a.k.a. YAROSH, Pyotr), Crimea, Ukraine; DOB 30 Jan 1971; POB Skvortsovo village, Simferopol region, Crimea, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

67. KALASHNIKOV, Alexander Petrovich (Cyrillic: КАЛАШНИКОВ, Александр Петрович) (a.k.a. KALASHNIKOV, Aleksandr (Cyrillic: КАЛАШНИКОВ, Александр)), Russia; DOB 27 Jan 1964; POB Tatarsk, Novosibirsk Region, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

68. KAMSHILOV, Oleg Anatolievich, Crimea, Ukraine; DOB 1969; POB Piketnoy Marjanovsky District, Omsk Region, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

69. KANISHCHEV, Pavel; DOB 1986; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

70. KARAMAN, Aleksandr (a.k.a. CARAMAN, Aleksandru; a.k.a. KARAMAN, Alexander; a.k.a. KARAMAN, Oleksandr); DOB 26 Jul 1956; POB Republic of Mordovia, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

71. KARAMYAN, Vakhtang (a.k.a. KARAMIAN, Vakhtang); DOB 19 Apr 1991; nationality Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 727409284 (Russia) expires 28 Mar 2023; Middle East Business Development Director at Kalashnikov Concern (individual) [UKRAINE-EO13661] (Linked To: KALASHNIKOV CONCERN).

72. KARANDA, Pavel Leonidovich (Cyrillic: КАРАНДА, Павел Леонидович), Crimea, Ukraine; DOB 1964; POB Omsk, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

73. KARYAKIN, Alexei Vyacheslavovich (a.k.a. KARIAKIN, Aleksey; a.k.a. KARYAKIN, Aleksey; a.k.a. KARYAKIN, Alexei); DOB 07 Apr 1980; POB Stahanov, Luhansk Oblast, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

74. KAUROV, Valery Vladimirovich (a.k.a. KAUROV, Valerii Volodymyrovych; a.k.a. KAUROV, Valeriy; a.k.a. KAUROV, Valery); DOB 02 Apr 1956; POB Odessa, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

75. KERIMOV, Suleiman Abusaidovich (Cyrillic: КЕРИМОВ, Сулейман Абусаидович) (a.k.a. KERIMOV, Suleyman), Moscow, Russia; Antibes, France; DOB 12 Mar 1966; POB Derbent, Republic of Dagestan, Russia; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

76. KHODAKOVSKYY, Oleksandr Sergeyevich (a.k.a. KHODAKOVSKIY, Aleksandr; a.k.a. KHODAKOVSKY, Alexander); DOB 18 Dec 1972; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

77. KHODOTOV, Yevgeny (a.k.a. KHODOTOV, Yevgeniy Garryevich (Cyrillic: ХОДОТОВ, Евгений Гаррьевич)), Central African Republic; DOB 21 Mar 1964; POB Leningrad, Russia; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 4008748289 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

78. KHORSHEVA, Natalya Ivanovna (a.k.a. KHORSHEVA, Nataliya; a.k.a. KHORSHEVA, Natalya), Luhansk, Ukraine; DOB 14 Jul 1972; Gender Female;

Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

79. KHRYAKOV, Alexander (a.k.a. KHRYAKOV, Aleksandr Vitaliyovych; a.k.a. KHRYAKOV, Alexander Vitaliyovych; a.k.a. KHRYAKOV, Alexandr; a.k.a. KHRYAKOV, Oleksandr; a.k.a. KHRYAKOV, Oleksandr Vitaliyovych), Donetsk, Ukraine; DOB 06 Nov 1958; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

80. KILIMNIK, Konstantin Viktorovich (Cyrillic: КИЛИМНИК, Константин Викторович), Moscow, Russia; Kyiv, Ukraine; DOB 27 Apr 1970; POB Kyiv, Ukraine; nationality Ukraine; citizen Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 752512703 (Russia) (individual) [UKRAINE-EO13660] [ELECTION-EO13848] (Linked To: YANUKOVYCH, Viktor Fedorovych).

81. KIRIYENKO, Sergei Vladilenovich (Cyrillic: КИРИЕНКО, Сергей Владиленович) (a.k.a. KIRIYENKO, Sergei), Moscow, Russia; DOB 26 Jul 1962; POB Sukhumi, Georgia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

82. KIVIKO, Irina Valerievna; DOB 05 Sep 1970; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

83. KLISHAS, Andrei (a.k.a. KLISHAS, Andrey); DOB 09 Nov 1972; POB Yekaterinburg, Sverdlovsk, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairman of the Russian Federation Council Committee on Constitutional Law, Judicial and Legal Affairs and the Development of Civil Society (individual) [UKRAINE-EO13661].

84. KLISHIN, Mikhail Alekseevich, Russia; DOB 09 Oct 1954; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

85. KLYUYEV, Andriy Petrovych (a.k.a. KLIUIEV, Andrii Petrovych; a.k.a. KLUEV, Andriy; a.k.a. KLYUEV, Andriy; a.k.a. KLYUYEV, Andrey); DOB 12 Aug 1964; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

86. KOFMAN, Aleksandr Igorevich (a.k.a. KOFMAN, Oleksandr); DOB 30 Aug 1977; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

87. KOLBIN, Petr (a.k.a. KOLBIN, Peter; a.k.a. KOLBIN, Petr Viktorovich; a.k.a. KOLBIN, Pyotr); DOB 02 Jan 1952; POB Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

88. KOLOKOLTSEV, Vladimir Alexandrovich (Cyrillic: КОЛОКОЛТСЕВ, Владимир Александрович), Moscow, Russia; DOB 11 May 1961; POB Nizhny Lomov, Penza Region, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

89. KOLOSOV, Bogdan Valeryevich (a.k.a. KOLOSOV, Bogdan), House 177, Apt. 64, Izhevsk, Udmurtskaya Respublika 426060, Russia; DOB 06 May 1985; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] (Linked To: KALASHNIKOV CONCERN).

90. KONONOV, Vladimir (a.k.a. KONONOV, Vladimir P.; a.k.a. KONONOV, Vladimir Petrovich; a.k.a. KONONOV, Volodimir); DOB 14 Oct 1974; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

91. KONSTANTINOV, Vladimir Andreyevich; DOB 19 Nov 1956; POB Vladimirovka, Moldova; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

92. KORNET, Igor Aleksandrovich (a.k.a. KORNET, Igor; a.k.a. KORNET, Ihor), Luhansk, Ukraine; DOB 29 Apr 1973; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

93. KOSACHEV, Konstantin, Russia; DOB 17 Sep 1962; POB Moscow, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairperson of the Council of the Federation Committee on Foreign Affairs (individual) [UKRAINE-EO13661].

94. KOSTENKO, Elena Nikolaevna (a.k.a. KOSTENKO, Olena Mykolaivna), Novoannivka Street, No. 9, Krasnodonsky District, Luhansk Region, Ukraine; DOB 13 Nov 1968; POB Krasnodonsky, Ukraine; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

95. KOSTIN, Andrey Leonidovich, Moscow, Russia; DOB 21 Sep 1956; POB Moscow, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

96. KOSTRUBITSKY, Aleksey Aleksandrovich (a.k.a. KOSTRUBITSKIJ, Aleksej Aleksandrovich; a.k.a. KOSTRUBITSKY, Alexei; a.k.a. KOSTRUBITSKY, Olexiy Oleksandrovych; a.k.a. KOSTRUBYTSKYY, Oleksiy), in/h A-0050, Donetsk, Ukraine; DOB 24 Aug 1978; POB Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

97. KOVALCHUK, Kirill Mikhailovich (Cyrillic: КОВАЛЬЧУК, Кирилл Михайлович) (a.k.a. KOVALCHUK, Kyrylo Mykhailovych; a.k.a. KOVALCHUK, Kyrylo Mykhaylovych (Cyrillic: КОВАЛЬЧУК, Кирило Михайлович)), Moscow, Russia; DOB 22 Dec 1968; POB Moscow, Russia; alt. POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 643267034 (Russia); Tax ID No. 773600308808 (Russia) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: AO ABR MANAGEMENT).

98. KOVALCHUK, Yuri Valentinovich (Cyrillic: КОВАЛЧУК, Юрий Валентинович) (a.k.a. KOVALCHUK, Yuriy Valentynovych (Cyrillic: КОВАЛЬЧУК, Юрій Валентинович); a.k.a. KOVALCHUK, Yury Valentinovich), Russia; DOB 25 Jul 1951; POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 780105029790 (Russia) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: AO ABR MANAGEMENT).

99. KOVALENKO, Andrey; DOB 30 Dec 1985; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

100. KOZAK, Dmitry; DOB 07 Nov 1958; POB Kirovograd, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Prime Minister of the Russian Federation (individual) [UKRAINE-EO13661].

101. KOZENKO, Andrey Dmitrievich; DOB 03 Aug 1981; POB Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

102. KOZHIN, Vladimir Igorevich; DOB 28 Feb 1959; POB Troitsk, Chelyabinsk Oblast, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of Administration of the President of the Russian Federation (individual) [UKRAINE-EO13661].

103. KOZITSYN, Nikolai (a.k.a. KOZITSYN, Mykola; a.k.a. KOZITSYN, Mykola Ivanovych; a.k.a. KOZITSYN, Nikolay); DOB 20 Jun 1956; POB Donetsk Region; citizen Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

104. KOZYAKOV, Serhiy (a.k.a. KOZYAKOV, Sergey; a.k.a. KOZYAKOV, Sergey Yurievich); DOB 29 Sep 1982; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

105. KOZYURA, Oleg Grigorievich (a.k.a. KOZYURA, Oleg Grigoryevich); DOB 19 Dec 1962; POB Zaporozhye, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Office of the Federal Migration Service in the City of Sevastopol (individual) [UKRAINE-EO13660].

106. KRASNOV, Igor Victorovich (Cyrillic: КРАСНОВ, Игорь Викторович) (a.k.a. KRASNOV, Igor (Cyrillic: КРАСНОВ, Игорь); a.k.a. KRASNOV, Igor Viktorovich), 6-3 Michurinsky Prospekt, Moscow, Russia; DOB 24 Dec 1975; POB Arkhangelsk, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

107. KRIVORUCHKO, Aleksei Yurievich (Cyrillic: КРИВОРУЧКО, Алексей Юрьевич), Russia; DOB 17 Jul 1975; POB Stavropol, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

108. KULINICH, Larisa Vitalievna (Cyrillic: КУЛИНИЧ, Лариса Витальевна) (a.k.a. KULINICH, Larisa (Cyrillic: КУЛИНИЧ, Лариса)), Simferopol, Crimea, Ukraine; DOB 02 Mar 1976; POB Ostapovka, Mirgorod District, Poltava Oblast, Ukraine; nationality Ukraine; alt. nationality Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

109. KURCHENKO, Sergey Vitalievich (a.k.a. KURCHENKO, Sergei; a.k.a. KURCHENKO, Sergii; a.k.a. KURCHENKO, Serhiy; a.k.a. KURCHENKO, Serhiy Vitaliyovych); DOB 21 Sep 1985; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

110. KUZIN, Aleksandr Yuryevich (Cyrillic: КУЗИН, Александр Юрьевич) (a.k.a. KUZIN, Alexander), Central African Republic; DOB 05 Jun 1980; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 723668000 (Russia) expires 18 Mar 2023 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

111. LAVRENKOV, Igor Valerievich (Cyrillic: ЛАВРЕНКОВ, Игорь Валерьевич), Surat Thani 84320, Thailand; Chaoyang District, Beijing, China; DOB 30 Jan 1974; POB Russia; nationality Saint Kitts and Nevis; alt. nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport RE0028598 (Saint Kitts and Nevis); alt. Passport RE0013455 (Saint Kitts and Nevis); alt. Passport 51NO5354610 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

112. LEBEDEV, Dmitri Alekseevich (Cyrillic: ЛЕБЕДЕВ, Дмитрий Алексеевич), Russia; DOB 30 Mar 1968; POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: AO ABR MANAGEMENT).

113. LOGINOV, Ilya (a.k.a. LOGINOV, Ilya Alekseyevich (Cyrillic: ЛОГИНОВ, Илья Алексеевич)); DOB 02 Jul 1971; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy General Director for Legal Support at Sovfracht (individual) [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

114. LYAGIN, Roman (a.k.a. LIAGIN, Roman; a.k.a. LIAHIN, Roman; a.k.a. LYAHIN, Roman); DOB 30 May 1980; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

115. MALAKHOVA, Svetlana Anatolievna (a.k.a. MALAKHOVA, Svetlana Anatolyevna; a.k.a. MALAKHOVA, Svitlana Anatoliivna), 2A Levanevsky Street, Luhansk, Luhansk Region, Ukraine; DOB 27 Aug 1964; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

116. MALGIN, Pavel Vladimirovich (a.k.a. MALGIN, Pavlo Volodymirovich; a.k.a. MALHIN, Pavlo), Quarter Koshevogo 37, Apt. 28, Molodogvardeysk, Ukraine; Lenin Street 3, Apt. 1, Sorokino Krasnodon, Ukraine; DOB 30 Mar 1968; POB Krasnodon, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

117. MALKEVICH, Alexander Aleksandrovich, St. Petersburg, Russia; DOB 14 Jun 1975; POB Leningrad, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 717637093 (Russia); National ID No. 781005202108 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: USA REALLY; Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

118. MALOFEYEV, Konstantin (Cyrillic: МАЛОФЕЕВ, Константин) (a.k.a. MALOFEEV, Konstantin Valerevich; a.k.a. MALOFEEV, Konstantin Valerievich; a.k.a. MALOFEEV, Konstantin Valeryevich), Fian 4-2, Puschino 142290, Russia; DOB 03 Jul 1974; POB Pushchino, Moscow, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; National ID No. 4604189321 (Russia) (individual) [UKRAINE-EO13660] [RUSSIA-EO14024].

119. MALYSHEV, Mikhail Grigorevich, 15/9 Ulitsa Turgeneva, Apt. 9, Simferopol, Crimea, Ukraine; DOB 10 Oct 1955; POB Simferopol, Crimea; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chair of the Crimea Electoral Commission (individual) [UKRAINE-EO13660].

120. MANDEL, Andrei Sergeevich (Cyrillic: МАНДЕЛЬ, Андрей Сергеевич), St. Petersburg, Russia; DOB 02 Mar 1990; POB Germany; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201

and/or 589.209; Passport 753615660 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: M INVEST, OOO).

121. MANSUROV, Dmitri Flerovich, Russia; DOB 1977; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

122. MANUILOV, Evgeny (a.k.a. MANUILOV, Evgeny Vladimirovich; a.k.a. MANUILOV, Yevgeny); DOB 05 Jan 1967; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

123. MATVIYENKO, Valentina Ivanovna (Cyrillic: МАТВИЕНКО, Валентина Ивановна) (a.k.a. MATVIENKO, Valentina), Moscow, Russia; DOB 07 Apr 1949; POB Shepetovka, Khmelnitsky, Ukraine ; nationality Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

124. MATYUSHCHENKO, Ekaterina Sergeevna (a.k.a. MATIUSHCHENKO, Ekaterina Sergeevna; a.k.a. MATYUSHCHENKO, Kateryna), 20 Ulitsa Novosadovaya, Apt. 41, Donetsk, Donetsk Region, Ukraine; DOB 01 Feb 1979; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

125. MEDVEDCHUK, Viktor; DOB 07 Aug 1954; POB Pochyot, Krasnoyarsk Krai, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

126. MEDVEDEV, Gennadiy (a.k.a. MEDVIEDIEV, Gennadiy Nikolayevich); DOB 14 Sep 1959; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Director of the Border Guard Service of the Federal Security Service of the Russian Federation (individual) [UKRAINE-EO13661].

127. MEDVEDEV, Valery Kirillovich, 22 Ulitsa Oktyabrskoi Revolutsii, Building 9, Apt. 14, Sevastopol, Crimea, Ukraine; DOB 21 Aug 1946; POB Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chair of the Sevastopol Electoral Commission (individual) [UKRAINE-EO13660].

128. MELNIKOV, Andrei (a.k.a. MELNIKOV, Andrey; a.k.a. MELNIKOV, Andrey Gennadevich; a.k.a. MELNIKOVA, Andreya Gennadevicha), 13 pr., Simferopol, Crimea, Ukraine; DOB 03 Sep 1969; Email Address me@rk.gov.ru; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

129. MELNYCHUK, Oleksandr (a.k.a. MELNICHUK, Aleksandr Aleksandrovich), Ukraine; DOB 17 Jan 1965; POB Rovenki, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: LUHANSK PEOPLE'S REPUBLIC).

130. MELNYCHUK, Serhiy (a.k.a. MELNICHUK, Sergey; a.k.a. MELNYCHUK, Sergiy Oleksandrovich), Ukraine; DOB 30 Sep 1976; POB Rovenki, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: LUHANSK PEOPLE'S REPUBLIC).

131. MENYAILO, Sergei Ivanovich (a.k.a. MENYAILO, Sergei; a.k.a. MENYAILO, Sergey); DOB 22 Aug 1960; POB Alagir, North Ossetia, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Acting Governor of Sevastopol (individual) [UKRAINE-EO13660].

132. MIKHAILIUK, Leonid (Cyrillic: МИХАЙЛЮК, Леонид) (a.k.a. MIHAJLYUK, Leonid Vladimirovich (Cyrillic: МИХАЙЛЮК, Леонид Владимирович)), Franco Boulevard, House. 13, Simferopol, Crimea 295034, Ukraine; DOB 01 Jan 1970; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

133. MILLER, Alexey Borisovich, Moscow, Russia; DOB 31 Jan 1962; POB Saint-Petersburg, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

134. MINAEV, Oleg Aleksandrovich, Russia; DOB 1971; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

135. MIRONOV, Sergei Mikhailovich (a.k.a. MIRONOV, Sergei); DOB 14 Feb 1953; POB Pushkin, Saint Petersburg, Russia; Secondary sanctions risk: Ukraine-/Russia-

Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Member of the Council of the State Duma; Leader of A Just Russia Party; Member of the State Duma Committee on Housing Policy and Housing and Communal Services (individual) [UKRAINE-EO13661].

136. MIZULINA, Yelena (a.k.a. MIZULINA, Elena; a.k.a. MIZULINA, Elena Borisovna; a.k.a. MIZULINA, Yelena Borisovna); DOB 09 Dec 1954; POB Bui, Kostroma, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; State Duma Deputy; Chairman of the State Duma Committee on Family, Women and Children (individual) [UKRAINE-EO13661].

137. MOZGOVOY, Aleksey (a.k.a. MOZGOVOI, Aleksei; a.k.a. MOZGOVOI, Alexei; a.k.a. MOZGOVOI, Oleksiy; a.k.a. MOZGOVOY, Aleksei; a.k.a. MOZGOVOY, Alexei; a.k.a. MOZGOVOY, Oleksiy; a.k.a. MOZGOVY, Aleksei; a.k.a. MOZGOVY, Oleksiy; a.k.a. MOZHOVVY, Oleksiy; a.k.a. MOZHOVY, Aleksei; a.k.a. MOZHOVY, Oleksiy; a.k.a. MOZHOVYY, Aleksei), Luhansk, Ukraine; DOB 03 Apr 1975; POB Nyzhnya Duvanka, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

138. MURADOV, Georgiy L'vovich; DOB 19 Nov 1954; POB Kochmes, Komi, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

139. MURATOV, Aleksey (a.k.a. MURATOV, Aleksey Valentinovich (Cyrillic: МУРАТОВ, Алексей Валентинович); a.k.a. MURATOV, Alexei), Moscow, Russia; Donetsk, Ukraine; DOB 17 Feb 1978; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

140. MUROV, Evgeniy Alekseyevich (a.k.a. MUROV, Evgeny; a.k.a. MUROV, Yevgeniy; a.k.a. MUROV, Yevgeny); DOB 18 Nov 1945; POB Zvenigorod, Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Director of the Federal Protective Service of the Russian Federation; Army General (individual) [UKRAINE-EO13661].

141. NARYSHKIN, Sergey Yevgenyevich (Cyrillic: НАРЫШКИН, Сергей Евгениевич) (a.k.a. NARYSHKIN, Sergei), Moscow, Russia; DOB 27 Oct 1954; POB Saint Petersburg, Russia; nationality Russia; Gender Male; Secondary

sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

142. NAYDENKO, Aleksey Alekseevich (Cyrillic: НАЙДЕНКО, Алексей Алексеевич) (a.k.a. NAIDENKO, Aleksey; a.k.a. NAYDENKO, Oleksii Oleksiyovych (Cyrillic: НАЙДЕНКО, Олексій Олексійович)); DOB 02 Jun 1980; POB Donetsk, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

143. NAZAROV, Mikhail Anatolievich; DOB 1965; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

144. NAZAROV, Sergey Makarovich, Russia; DOB 27 Jul 1961; POB Kizel, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Minister of Economic Development of the Russian Federation (individual) [UKRAINE-EO13660] [UKRAINE-EO13661].

145. NEKLYUDOV, Dmitry Sergeyevich (a.k.a. NEKLYUDOV, Dmitriy Sergeyevich); DOB 17 Feb 1969; POB Simferopol, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

146. NEMTSEV, Vladimir Vladimirovich (Cyrillic: НЕМЦЕВ, Владимир Владимирович) (a.k.a. NEMTSEV, Volodymyr Volodymyrovych (Cyrillic: НЄМЦЕВ, Володимир Володимирович)), Sevastopol, Ukraine; DOB 15 Nov 1971; POB Sevastopol, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

147. NEVEROV, Sergei Ivanovich (a.k.a. NEVEROV, Sergei; a.k.a. NEVEROV, Sergey); DOB 21 Dec 1961; POB Tashtagol, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Chairman of the State Duma of the Russian Federation; Member of the State Duma Committee on Housing Policy and Housing and Communal Services (individual) [UKRAINE-EO13661].

148. NIKITIN, Vasiliy Aleksandrovich (Cyrillic: НИКИТИН, Василий Александрович) (a.k.a. NIKITIN, Vasily; a.k.a. NIKITIN, Vasyl); DOB 25 Nov

1971; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

149. NIKITINA, Irina (a.k.a. NIKITINA, Irina Petrovna; a.k.a. NIKITINA, Iryna Petrivna), Ukraine; DOB 17 May 1968; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

150. NIKONOROVA, Natalya Yurievna, 7 Ulitsa Dneprodzerzhinskaya, Apt. 142, Donetsk, Donetsk Region, Ukraine; DOB 28 Sep 1984; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

151. NIKULOV, Gennadii Anatolievich (a.k.a. NIKULOV, Gennady A.), Russia; DOB 17 Feb 1967; nationality Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

152. OKOROKOV, Ivan (a.k.a. OKOROKOV, Ivan B.; a.k.a. OKOROKOV, Ivan Borisovich); DOB 19 Sep 1985; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Director of Marine Transport Department at Sovfracht (individual) [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

153. OLSSON, Sven Anders, Karl X Gustafs Gata 51, Helsingborg 252 40, Sweden; DOB 1943; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

154. OMELCHENKO, Aleksander (a.k.a. OMELCHENKO, Aleksandr Anatolyevich; a.k.a. OMELCHENKO, Alexander A.; a.k.a. OMELCHENKO, Alexander Anatolyevich; a.k.a. OMELCHENKO, Alexandr Anatolyevich); DOB 08 Sep 1983; POB Moscow, Russia; citizen Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 721937258 (Russia); National ID No. 4598338396 (Russia); alt. National ID No. 4506978162 (Russia); Chief Export Officer for Kalashnikov Concern (individual) [UKRAINE-EO13661].

155. OVSYANNIKOV, Dmitry Vladimirovich (Cyrillic: ОВСЯННИКОВ, ДМИТРИЙ ВЛАДИМИРОВИЧ), Sevastopol, Crimea, Ukraine; DOB 21 Feb 1977; POB Omsk, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related

Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

156. OZEROV, Viktor Alekseevich (a.k.a. OZEROV, Viktor Alexeyevich); DOB 05 Jan 1958; POB Abakan, Khakassia, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairman of the Security and Defense Federation Council of the Russian Federation (individual) [UKRAINE-EO13661].

157. PAANANEN, Kai (a.k.a. PAANANEN, Kai Lauri Johannes); DOB 21 Jul 1954; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairman, SET Petrochemicals Oy; Managing Director, Southeast Trading Oy (individual) [UKRAINE-EO13661].

158. PALAGIN, Viktor Nikolayevich; DOB 02 Dec 1956; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

159. PANTELEEV, Oleg Evgenevich (a.k.a. PANTELEEV, Oleg); DOB 21 Jul 1952; POB Zhitnikovskoe, Kurgan Region, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; First Deputy Chairman of the Committee on Parliamentary Issues (individual) [UKRAINE-EO13661].

160. PASECHNIK, Leonid Ivanovich (a.k.a. PASECHNYK, Leonid; a.k.a. PASICHNYK, Leonid), Ukraine; DOB 15 Mar 1970; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

161. PASHKOV, Vladimir Igorevich, Russia; Ukraine; DOB 1961; POB Bratsk, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC; Linked To: LUHANSK PEOPLE'S REPUBLIC).

162. PATRUSHEV, Nikolai Platonovich (Cyrillic: ПАТРУШЕВ, Николай Платонович) (a.k.a. PATRUSHEV, Nikolai), Moscow, Russia; DOB 11 Jul 1951; POB St. Petersburg, Russian Federation; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

163. PAVLENKO, Vladimir Nikolaevich (Cyrillic: ПАВЛЕНКО, Владимир Николаевич) (a.k.a. PAVLENKO, Vladimir Viktorovich (Cyrillic: ПАВЛЕНКО, Владимир Викторович); a.k.a. PAVLENKO, Volodymyr Mykolaiovych; a.k.a. PAVLENKO, Volodymyr Viktorovich (Cyrillic: ПАВЛЕНКО, Володимир Вікторович)), Donetsk, Donetsk Oblast, Ukraine; DOB 14 Apr 1962; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Minister of State Security of the so-called Donetsk People's Republic (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

164. PENTYA, Aleksandr Yevgenyevich (a.k.a. PENTYA, Alexander), St. Petersburg, Russia; DOB 07 Sep 1985; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] (Linked To: AO ABR MANAGEMENT).

165. PEREVALOV, Viktor Pavlovich, St. Petersburg, Russia; 133, ul. Chernyshevskogo, Vologda, Vologodskaya Obl 160019, Russia; 122 Grazhdanskiy Prospect, Suite 5, Liter A, St. Petersburg 195267, Russia; DOB 27 Jun 1963; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 780201527164 (Russia); First Deputy General Director (individual) [UKRAINE-EO13685] (Linked To: VAD, AO).

166. PLAKSINA, Olga (a.k.a. PLAKSINA, Olga Vladimirovna), Russia; DOB 03 Mar 1974; POB Moscow, Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13685].

167. PLISYUK, Mikhail Alekseyevich, Russia; DOB 03 Sep 1963; POB Jakarta, Indonesia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 652204544 (Russia) expires 27 Nov 2019 (individual) [UKRAINE-EO13661].

168. PLOTNITSKY, Igor Venediktovich (a.k.a. PLOTNITSKY, Igor); DOB 24 Jun 1964; POB Kelmentsi, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

169. POKLONSKAYA, Natalia Vladimirovna (a.k.a. POKLONSKA, Natalya; a.k.a. POKLONSKAYA, Natalia; a.k.a. POKLONSKAYA, Natalya); DOB 18 Mar 1980; POB Eupatoria, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related

Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Prosecutor of Crimea (individual) [UKRAINE-EO13660].

170. POLONSKY, Dmitry Anatolievich; DOB 02 Aug 1981; POB Simferopol, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

171. PONOMARYOV, Vyacheslav (a.k.a. PONOMAREV, Vyacheslav; a.k.a. PONOMARYOV, Vachislav); DOB 02 May 1965; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

172. POPOV, Pavel Anatolievich (Cyrillic: ПОПОВ, Павел Анатольевич), Russia; DOB 01 Jan 1957; POB Krasnoyarsk, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

173. POTEPKIN, Mikhail Sergeyevich, Sudan; DOB 29 Sep 1981; alt. DOB 19 Sep 1981; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 651697952 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: M INVEST, OOO; Linked To: MEROE GOLD CO. LTD.).

174. PRIBYSHIN, Taras Kirillovich, St. Petersburg, Russia; DOB 28 Jun 1991; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich; Linked To: INTERNET RESEARCH AGENCY LLC).

175. PRIGOZHIN, Yevgeniy Viktorovich (a.k.a. PRIGOZHIN, Evgeny), Russia; DOB 01 Jun 1961; POB Leningrad, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] [RUSSIA-EO14024] (Linked To: INTERNET RESEARCH AGENCY LLC).

176. PURGIN, Andrey Yevgenyevich (a.k.a. PURGIN, Andrei; a.k.a. PURGIN, Andrej; a.k.a. PURGIN, Andriy; a.k.a. PURGYN, Andriy; a.k.a. PURHIN, Andriy); DOB 26 Jan 1972; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

177. PUSHILIN, Denis (a.k.a. PUSHYLIN, Denis; a.k.a. PUSHYLIN, Denis Volodymyrovych; a.k.a. PUSHYLIN, Denys); DOB 09 May 1981; POB Makeevka, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

178. PUSHKOV, Aleksei Konstantinovich (a.k.a. PUSHKOV, Alexei); DOB 10 Aug 1954; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chairman of State Duma Committee on International Affairs (individual) [UKRAINE-EO13661].

179. PYRKOVA, Ekaterina Eduardovna (Cyrillic: ПЫРКОВА, Екатерина Эдуардовна) (a.k.a. PYRKOVA, Kateryna Eduardivna (Cyrillic: ПИРКОВА, Катерина Едуардівна)), Sevastopol, Ukraine; DOB 22 Aug 1967; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

180. RADOMSKAYA, Elena Vladimirovna (a.k.a. RADOMSKA, Olena; a.k.a. RADOMSKAYA, Yelena), 211 Ulitsa Kuibysheva, Apt. 65, Donetsk, Donetsk Region, Ukraine; DOB 15 Nov 1974; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

181. RAZVOZHAEV, Mikhail Vladimirovich (Cyrillic: РАЗВОЖАЕВ, Михаил Владимирович) (a.k.a. RAZVOZHAEV, Mykhailo Volodymyrovich (Cyrillic: РАЗВОЖАЄВ, Михаило Володимирович)), Sevastopol, Ukraine; DOB 30 Dec 1980; POB Krasnoyarsk, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

182. REZNIK, Vladislav Matusovich (Cyrillic: РЕЗНИК, Владислав Матусович), Moscow, Russia; DOB 17 May 1954; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Member of the State Duma of the Federal Assembly of the Russian Federation (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

183. RODKIN, Andrei Nikolaevich (a.k.a. RODKIN, Andrei (Cyrillic: РОДКИН, Андрей); a.k.a. RODKIN, Andrey); DOB 23 Sep 1976; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

184. ROGOZIN, Dmitry Olegovich (a.k.a. ROGOZIN, Dmitriy; a.k.a. ROGOZIN, Dmitry); DOB 21 Dec 1963; POB Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Prime Minister of the Russian Federation (individual) [UKRAINE-EO13661].

185. ROMASHKIN, Ruslan (a.k.a. ROMASHKIN, Ruslan Aleksandrovich (Cyrillic: РОМАШКИН, Руслан Александрович)); DOB 15 Jun 1976; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Service Command Point of the Federal Security Service of the Russian Federation for the Republic of Crimea and Sevastopol (individual) [UKRAINE-EO13661].

186. .

187. ROTENBERG, Boris Romanovich (Cyrillic: РОТЕНБЕРГ, Борис Романович) (a.k.a. ROTENBERG, Borys Romanovych), Russia; DOB 03 Jan 1957; POB St. Petersburg, Russia; nationality Russia; alt. nationality Finland; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 470305596440 (Russia) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: SMP BANK).

188. ROTENBERG, Igor Arkadyevich (Cyrillic: РОТЕНБЕРГ, Игорь Аркадьевич) (a.k.a. ROTENBERG, Igor Arkadevich; a.k.a. ROTENBERG, Igor Arkadievich; a.k.a. ROTENBERG, Igor Arkadiiovych; a.k.a. ROTENBERG, Igor Arkadiyevich; a.k.a. ROTENBERG, Ihor Arkadiiovych; a.k.a. ROTENBERH, Igor Arkadiyovych), Russia; DOB 09 May 1973; POB St. Peterburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROTENBERG, Arkady Romanovich).

189. ROTENBERG, Roman Borisovich (Cyrillic: РОТЕНБЕРГ, Роман Борисович) (a.k.a. ROTENBERG, Roman Borysovych), Beregovaya, Street 6, Apartment 25, Moscow 125367, Russia; DOB 07 Apr 1981; alt. POB St. Petersburg, Russia; citizen Russia; alt. citizen Finland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 640848350 (Russia); alt. Passport 16038132 (Finland); alt. Passport 17017258 (Finland) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: ROTENBERG, Boris Romanovich).

190. RUDENKO, Miroslav Vladimirovich (a.k.a. RUDENKO, Miroslav; a.k.a. RUDENKO, Myroslav), Donetsk, Ukraine; DOB 21 Jan 1983; alt. DOB 1983; POB

Debaltsevo, Donetsk Region, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

191. RYAUZOV, Denis Yuryevich (a.k.a. JURJEVICH, Ryauzov Denis; a.k.a. RJAUZOW, Denis; a.k.a. RYAUZOV, Denis; a.k.a. RYAUZOW, Denis), Russia; DOB 23 May 1974; POB Omsk, Siberia, Russia; nationality Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

192. RYZHENKIN, Leonid Kronidovich (Cyrillic: РЫЖЕНЬКИН, Леонид Кронидович) (a.k.a. RIZHENKIN, Leonid; a.k.a. RYZHENKIN, Leonid (Cyrillic: РЫЖЕНЬКИН, Леонид)), Moscow, Russia; DOB 10 Nov 1967; POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 722706177 (individual) [UKRAINE-EO13685].

193. RYZHKOV, Nikolai Ivanovich (a.k.a. RYZHKOV, Nikolai); DOB 28 Sep 1929; POB Duleevka, Donetsk Region, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Senator in the Russian Upper House of Parliament; Member of the Committee for Federal Issues, Regional Politics and the North of the Federation Council of the Russian Federation (individual) [UKRAINE-EO13661].

194. SAVCHENKO, Petr (a.k.a. SAVCHENKO, Peter; a.k.a. SAVCHENKO, Peter A.; a.k.a. SAVCHENKO, Petro Oleksiiovych), Makeyevka, Ukraine; DOB 23 Feb 1968; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: PROFAKTOR, TOV).

195. SAVCHENKO, Svetlana Borisovna; DOB 24 Jun 1965; POB Ukraine; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

196. SAVELYEV, Oleg Genrikhovich; DOB 27 Oct 1965; POB St. Petersburg, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Minister for Crimean Affairs (individual) [UKRAINE-EO13661].

197. SECHIN, Igor Ivanovich (Cyrillic: СЕЧИН, Игорь Иванович) (a.k.a. SECHIN, Igor), Moscow, Russia; DOB 07 Sep 1960; POB St. Petersburg, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions

Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

198. SEMENOVA, Olena Yurevna (a.k.a. SEMENOVA, Elena Iurevna); DOB 06 Dec 1978; citizen Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport ER747251 (Ukraine); National ID No. 2882908207 (Ukraine) (individual) [UKRAINE-EO13661].

199. SERGUN, Igor Dmitrievich; DOB 28 Mar 1957; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Lieutenant General; Chief of the Main Directorate of the General Staff (GRU); Deputy Chief of the General Staff (individual) [UKRAINE-EO13661].

200. SHAMALOV, Kirill Nikolaevich; DOB 22 Mar 1982; POB Leningrad, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13662].

201. SHAPOVALOV, Oleg Georgievich; DOB 17 Jul 1959; POB Nikopol, Dnepropetrovsk Oblast, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

202. SHCHEGOLEV, Igor Olegovich (a.k.a. SHCHYOGOLEV, Igor Olegovich), Russia; DOB 10 Nov 1965; alt. POB Vinnytsia, Ukraine; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aide to the President of the Russian Federation (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

203. SHCHERBAKOV, Kirill Konstantinovich, Moscow, Russia; DOB 18 May 1968; POB Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 774302261730 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: OOO YUNIDZHET).

204. SHEIN, Andrey (a.k.a. SHEIN, Andrey Borisovich); DOB 19 Jun 1971; POB Ivanovskaya Oblast, Russia; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Head of the Border Directorate - Head of the Coast Guard Unit of the Federal Security Service of the Russian Federation (individual) [UKRAINE-EO13661].

205. SHEREMET, Mikhail Sergeyevich; DOB 23 May 1971; POB Dzhankoy, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

206. SHKOLOV, Evgeniy Mikhailovich, Russia; DOB 31 Aug 1955; POB Dresden, Germany; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aide to the President of the Russian Federation (individual) [UKRAINE-EO13661].

207. SHPEROV, Pavel Valentinovich; DOB 04 Jul 1971; POB Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

208. SHUBIN, Alexandr (a.k.a. SHUBIN, Aleksandr; a.k.a. SHUBIN, Alexandr Vasilievich); DOB 20 May 1972; POB Luhansk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

209. SKOCH, Andrei Vladimirovich (Cyrillic: СКОЧ, Андрей Владимирович) (a.k.a. SKOCH, Andrey), Russia; DOB 30 Jan 1966; POB Nikolsky (Moscow), Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Member of the State Duma of the Federal Assembly of the Russian Federation (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

210. SLUTSKY, Leonid (a.k.a. SLUTSKIY, Leonid; a.k.a. SLUTSKY, Leonid E.; a.k.a. SLUTSKY, Leonid Eduardovich); DOB 04 Jan 1968; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; State Duma Deputy; Chairman of the Committee on Affairs of the Commonwealth of Independent States (CIS); First Deputy Chairman of the Committee on International Affairs; Chairman of the Russian World Fund Administration (individual) [UKRAINE-EO13661].

211. STANKEVICH, Sergey (a.k.a. STANKEVICH, Sergey Nikolayevich); DOB 27 Jan 1963; POB Kaliningrad; citizen Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Border Directorate of the Federal Security Service of the Russian Federation (individual) [UKRAINE-EO13661].

212. STAVYTSKY, Eduard Anatoliyovych (a.k.a. STAVYTSKYI, Eduard; a.k.a. STAVYTSKYY, Eduard); DOB 04 Oct 1972; POB Lebedyn, Ukraine; citizen Ukraine; alt. citizen Israel; Secondary sanctions risk: Ukraine-/Russia-Related

Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

213. STEPANOV, Artem Nikolaevich (Cyrillic: СТЕПАНОВ, Артём Николаевич), Moscow, Russia; DOB 31 Mar 1980; POB Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 504403080602 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

214. STEPANYAN, Karen (Cyrillic: СТЕПАНЬЯН, Карен) (a.k.a. STEPANYAN, Karen Albertovich); DOB 22 Oct 1975; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; First Deputy General Director of Marine Transportation at Sovfracht (individual) [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

215. SURKOV, Vladislav Yurievich; DOB 21 Sep 1964; POB Solntsevo, Lipetsk, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Presidential Aide (individual) [UKRAINE-EO13661].

216. SUSHKO, Andriy Volodymyrovych (a.k.a. SUSHKO, Andrey; a.k.a. SUSHKO, Andrey Vladimirovich; a.k.a. SUSHKO, Andrii), Bldg. 78, Apt. 74, ulitsa Generala Petrova, city of Kerch, Crimea, Ukraine; DOB 23 Jan 1976; POB Village of Leninskoe, Leninskiy Region, Autonomous Region of Crimea, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [SSIDES].

217. SYTII, Dmitry Sergeevich (Cyrillic: СЫТЫЙ, Дмитрий Сергеевич) (a.k.a. SYTII, Dmitry; a.k.a. SYTYI, Dmitry), Central African Republic; DOB 23 Mar 1989; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

218. TABACHNYK, Dmytro Volodymyrovych (a.k.a. TABACHNIK, Dmitry; a.k.a. TABACHNYK, Dmytriy); DOB 28 Nov 1963; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

219. TEMIRGALIEV, Rustam Ilmirovich; DOB 15 Aug 1976; POB Ulan-Ude, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR

589.201 and/or 589.209; Deputy Chairman of the Council of Ministers of Crimea; Crimean Deputy Prime Minister (individual) [UKRAINE-EO13660].

220. TERENTIEV, Vladimir Nikolaevich (Cyrillic: ТЕРЕНТЬЕВ, Владимир Николаевич) (a.k.a. TERENTIEV, Vladimir (Cyrillic: ТЕРЕНТЬЕВ, Владимир)), Crimea, Ukraine; DOB 11 Nov 1977; POB Voronezh, Russian Federation; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

221. TIMCHENKO, Gennady Nikolayevich (Cyrillic: ТИМЧЕНКО, Геннадий Николаевич) (a.k.a. TIMCHENKO, Gennadiy Nikolaevich; a.k.a. TIMCHENKO, Gennadiy Nikolayevich; a.k.a. TIMTCHENKO, Guennadi), 10 Rampe de Cologny, Geneva 1223, Switzerland; Shvedskiy tup. 3, 26, Moscow, Russia; DOB 09 Nov 1952; POB Leninakan, Armenia; alt. POB Gyumri, Armenia; nationality Finland; alt. nationality Russia; alt. nationality Armenia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 781012626436 (Russia) (individual) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: OOO VOLGA GROUP).

222. TIMOFEEV, Aleksandr Yurievich (a.k.a. TIMOFEYEV, Aleksandr Yuryevich; a.k.a. TYMOFEEV, Oleksandr Yuriyovich), 134 Ulitsa Petrovskogo, Apt. 98, Donetsk, Ukraine; DOB 15 May 1971; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC).

223. TOPOR-GILKA, Sergey Anatolyevich, Russia; DOB 17 Feb 1970; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Director General of Limited Liability Company Foreign Economic Association Technopromexport (individual) [UKRAINE-EO13685] (Linked To: LIMITED LIABILITY COMPANY FOREIGN ECONOMIC ASSOCIATION TECHNOPROMEXPORT).

224. TORSHIN, Alexander Porfiryevich, Moscow, Russia; DOB 27 Nov 1953; POB Mitoga village, Ust-Bolsheretsky district, Kamchatka region, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

225. TOTOONOV, Aleksandr Borisovich (a.k.a. TOTOONOV, Alexander; a.k.a. TOTOONOV, Alexander B.); DOB 03 Mar 1957; POB Ordzhonikidze, North Ossetia, Russia; alt. POB Vladikavkaz, North Ossetia, Russia; Secondary sanctions

risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Member of the Committee on Culture, Science, and Information, Federation Council of the Russian Federation (individual) [UKRAINE-EO13661].

226. TSARYOV, Oleh Anatolievich (a.k.a. TSAREV, Oleg; a.k.a. TSARIOV, Oleh; a.k.a. TSAROV, Oleg; a.k.a. TSARYOV, Oleh), Stari Kodaky, Dnepropetrovsk Oblast, Ukraine; DOB 02 Jun 1970; POB Dnepropetrovsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

227. TSEKOV, Sergey Pavlovich; DOB 28 Sep 1953; POB Simferopol, Crimea, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

228. TSYPLAKOV, Sergey Gennadevich (a.k.a. TSYPLAKOV, Gennady); DOB 01 May 1983; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

229. USACHEV, Oleg (a.k.a. USACHEV, Oleg Leonidovich); DOB 03 Jul 1970; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

230. USTINOV, Vladimir Vasilyevich, Russia; DOB 25 Feb 1953; POB Nikolayevsk-on-Amur, Russian Federation; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

231. UTKIN, Dmitriy Valeryevich, Russia; DOB 1970; POB Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: PRIVATE MILITARY COMPANY 'WAGNER').

232. VALIULIN, Timur Samirovich, Russia; DOB 20 Dec 1962; POB Krasnozavodsk, Zagorsk District, Moscow Region, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Chief of the General Administration for Combating Extremism of the Ministry of Internal Affairs of the Russian Federation (individual) [UKRAINE-EO13661].

233. VASYUTA, Andrey Gennadievich; DOB 07 Mar 1965; POB Simferopol, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

234. VEKSELBERG, Viktor Feliksovich (Cyrillic: ВЕКСЕЛЬБЕРГ, Виктор Феликсович) (a.k.a. VEKSELBERG, Victor (Cyrillic: ВЕКСЕЛЬБЕРГ, Виктор)), Russia; DOB 14 Apr 1957; POB Drogobych, Lviv region, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13662] [RUSSIA-EO14024].

235. VOLODIN, Vyacheslav Victorovich (Cyrillic: ВОЛОДИН, Вячеслав Викторович), Russia; DOB 04 Feb 1964; POB Alexeevka, Saratov, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Speaker of the State Duma of the Federal Assembly of the Russian Federation; Member of Russian Security Council (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

236. VOROBEV, Aleksandr Nikolayevich, Russia; DOB 13 Mar 1970; POB Gavrilov Yam, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Passport 754116204 (Russia) expires 29 Dec 2026 (individual) [UKRAINE-EO13661].

237. VYSOTSKY, Vladimir Yurievich (Cyrillic: ВЫСОЦКИЙ, Владимир Юрьевич) (a.k.a. VYSOTSKIY, Vladimir Yurievich; a.k.a. VYSOTSKYI, Volodymyr Yuriyovych (Cyrillic: ВИСОЦЬКИЙ, Володимир Юрійович)); DOB 07 Apr 1985; POB Crimea, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

238. YAKUNIN, Vladimir Ivanovich; DOB 30 Jun 1948; POB Zakharovo Village, Gus-Khrustalnyy Rayon, Vladimir Oblast, Russia; alt. POB Melenki, Vladimir Oblast, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; President of OJSC Russian Railways (individual) [UKRAINE-EO13661].

239. YANUKOVYCH, Oleksandr Viktorovych (a.k.a. YANUKOVICH, Alexander; a.k.a. YANUKOVICH, Oleksander; a.k.a. YANUKOVYCH, Aleksandr Viktorovych; a.k.a. YANUKOVYCH, Olexander); DOB 01 Jul 1973; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

240. YANUKOVYCH, Viktor Fedorovych; DOB 09 Jul 1950; POB Yenakiyeve, Donetsk Region, Ukraine; alt. POB Makiivka, Donbas, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Former President of Ukraine (individual) [UKRAINE-EO13660].

241. YARIN, Andrei Veniaminovich (Cyrillic: ЯРИН, Андрей Вениаминович), Moscow, Russia; DOB 13 Feb 1970; POB Nizhny Tagil, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661].

242. YATSENKO, Viktor (a.k.a. YATSENKO, Victor V.; a.k.a. YATSENKO, Victor Vyacheslavovich); DOB 22 Apr 1985; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

243. ZAKHARCHENKO, Alexander; DOB 1976; POB Donetsk, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

244. ZAKHARCHENKO, Vitaliy Yuriyovych; DOB 20 Jan 1963; POB Kostiantynivka, Donetsk Region, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660] (Linked To: YANUKOVYCH, Viktor Fedorovych).

245. ZALDOSTANOV, Aleksandr (a.k.a. ZALDASTANOV, Aleksandr Sergeevich; a.k.a. ZALDOSTANOV, Alexander; a.k.a. ZALDOSTANOV, Alexander Sergeyevich; a.k.a. "Khirurg"; a.k.a. "The Surgeon"); DOB 19 Jan 1963; POB Kirovograd, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

246. ZARITSKY, Vladimir Nikolaevich (a.k.a. ZARITSKY, Vladimir Nikolayevich), Russia; DOB 15 Jun 1948; POB Ostany Village, Korosten District, Zhitomir region, Ukraine; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13685].

247. ZDRILIUK, Serhii Anatoliyovych (a.k.a. ZDRILIUK, Serghiei; a.k.a. ZDRILYUK, Sergei; a.k.a. ZDRILYUK, Sergey; a.k.a. ZDRYLYUK, Serhiy); DOB 23 Jun 1972; POB Vinnytsia Region, Ukraine; nationality Ukraine; citizen Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13660].

248. ZHAROV, Alexander Alexandrovich (a.k.a. ZHAROV, Aleksandr), Russia; DOB 11 Aug 1964; POB Chelyabinsk, Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Federal Service for Supervision of Communications, Information Technology, and Mass Media (individual) [UKRAINE-EO13661].

249. ZHELEZNYAK, Sergei Vladimirovich (a.k.a. ZHELEZNYAK, Sergei; a.k.a. ZHELEZNYAK, Sergey); DOB 30 Jul 1970; POB Saint Petersburg, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Deputy Speaker of the State Duma of the Russian Federation (individual) [UKRAINE-EO13661].

250. ZHEREBTSOV, Yuriy Gennadievych (a.k.a. ZHEREBTSOV, Yuriy Gennadyevich; a.k.a. ZHEREBTSOV, Yury), 23 Ulitsa Koltsevaya, Yevpatoria, Crimea, Ukraine; DOB 19 Nov 1969; POB Odessa, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Counselor to the Speaker of the Crimean Rada (individual) [UKRAINE-EO13660].

251. ZIMA, Pyotr Anatoliyovych (a.k.a. ZIMA, Petr Anatolyevich; a.k.a. ZYMA, Petro), 18 Ulitsa D. Ulyanova, Apartment 110, Simferopol, Crimea, Ukraine; DOB 29 Mar 1965; POB Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Head of the Crimean SBU (Security Service of Ukraine) (individual) [UKRAINE-EO13660].

252. ZOLOTOV, Viktor (a.k.a. ZOLOTOV, Viktor Vasilyevich), Russia; DOB 27 Jan 1954; POB Ryazanskaya oblast, Russia; nationality Russia; Gender Male; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 (individual) [UKRAINE-EO13661] [RUSSIA-EO14024].

253. ZUEVA, Mariya Evgenevna (a.k.a. ZUEVA, Mariia Yevgenyevna), Moscow, Russia; DOB 28 May 1983; POB Russia; nationality Russia; Gender Female; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 331403452400 (Russia) (individual) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: OOO YUNIDZHET).

1. AGROHOLDING KUBAN (a.k.a. KUBAN AGRO; a.k.a. KUBAN AGROHOLDING), 77 Mira St., Ust-Labinsk, Krasnodar Territory 352330, Russia; 1 Montazhnaya St., Ust-Labinsk, Krasnodar Territory, Russia; 116 Mira St., Ust-Labinsk, Krasnodar Territory, Russia; 1 G. Konshinykh St., Krasnodar Territory, Russia; 2 Rabochaya St., Ust-Labinsk, Krasnodar Territory, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201

and/or 589.209 [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich; Linked To: BASIC ELEMENT LIMITED).

2. AKTSIONERNOE OBSCHESTVO 'YALTINSKAYA KINODSTUDIYA' (a.k.a. CJSC YALTA-FILM; a.k.a. FILM STUDIO YALTA-FILM; a.k.a. JOINT STOCK COMPANY YALTA FILM STUDIO; a.k.a. JSC YALTA FILM STUDIO; a.k.a. KINOSTUDIYA YALTA-FILM; a.k.a. OAO YALTINSKAYA KINOSTUDIYA; a.k.a. YALTA FILM STUDIO; a.k.a. YALTA FILM STUDIOS), Ulitsa Mukhina, Building 3, Yalta, Crimea 298063, Ukraine; Sevastopolskaya 4, Yalta, Crimea, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 30993572 [UKRAINE-EO13685].

3. AO 'INSTITUTE GIPROSTROYMOST—SAINT-PETERSBURG' (a.k.a. AO 'INSTITUTE GIPROSTROYMOST—SANKT-PETERBURG'; f.k.a. INSTITUT GIPROSTROIMOST-SANKT-PETERBURG, ZAO; a.k.a. JSC 'INSTITUTE GIPROSTROYMOST--SAINT-PETERSBURG'; a.k.a. JSC 'INSTITUTE GIPROSTROYMOST--SANKT-PETERBURG'; f.k.a. ZAO 'INSTITUTE GIPROSTROYMOST SAINT-PETERSBURG'), 7 Yablochkova Street, St. Petersburg 197198, Russia; Website www.gpsm.ru; Email Address office@gpsm.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037828021660 (Russia); Tax ID No. 7826717210 (Russia); Government Gazette Number 53289443 (Russia) [UKRAINE-EO13685].

4. AO KONTSERN OKEANPRIBOR (Cyrillic: АО КОНЦЕРН ОКЕАНПРИБОР) (a.k.a. AKTSIONERNOE OBSHCHESTVO KONTSERN OKEANPRIBOR (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО КОНЦЕРН ОКЕАНПРИБОР); a.k.a. JOINT STOCK COMPANY CONCERN OKEANPRIBOR; a.k.a. JSC CONCERN OKEANPRIBOR; a.k.a. KONTSERN OKEANPRIBOR, PAO), 46, Chkalovskii Prospect, St. Petersburg 197376, Russia; Website www.oceanpribor.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1067847424160 (Russia); Tax ID No. 7813341546 (Russia) [UKRAINE-EO13662].

5. AO ZAVOD FIOLENT (Cyrillic: АО ЗАВОД ФИОЛЕНТ) (a.k.a. AKTSIONERNOE OBSHCHESTVO ZAVOD FIOLENT (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТБО ЗАВОД ФИОЛЕНТ); a.k.a. JOINT STOCK COMPANY FIOLENT PLANT; a.k.a. JSC FIOLENT PLANT; a.k.a. ZAVOD FIOLENT, PAT), House 34/2, Kievskaya Street, Simferopol, Crimea 295017, Ukraine; Website www.phiolent.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No.

9102048745 (Russia); Registration Number 1149102099640 (Russia) [UKRAINE-EO13685].

6. AQUANIKA (a.k.a. AQUANIKA LLC; a.k.a. LLC RUSSKOYE VREMYA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU RUSSKOE VREMYA; a.k.a. RUSSKOE VREMYA OOO; a.k.a. RUSSKOYE VREMYA LLC), 47A, Sevastopolskiy Ave., of. 304, Moscow 117186, Russia; 1/2 Rodnikovaya ul., Savasleika s., Kulebakski raion, Nizhegorodskaya oblast 607007, Russia; Website http://www.aquanika.com; alt. Website http://aquanikacompany.ru; Email Address office@aquanika.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1075247000036 [UKRAINE-EO13661].

7. ASSOCIATION FOR FREE RESEARCH AND INTERNATIONAL COOPERATION (a.k.a. "AFRIC"), Russia; Email Address Africonline@protonmail.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Digital Currency Address - ZEC t1MMXtBrSp1XG38Lx9cePcNUCJj5vdWfUWL; Digital Currency Address - DASH XyARKoupuArYtToA2S6yMdnoquDCDaBsaT [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

8. AUTOLEX TRANSPORT LTD., Alpha Centre, Providence Office, Number 22, Mahe, Seychelles; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

9. AVIA GROUP LLC (a.k.a. AVIA GROUP LTD), Terminal Aeroport Sheremetyevo Khimki, 141400 Moskovskaya obl., Russia; Website http://www.avia-group.su/; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

10. AVIA GROUP NORD LLC, 17 A, Stratoyava St., Saint Petersburg, Russia; Website http://www.ag-nord.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

11. AVIA GROUP TERMINAL LIMITED LIABILITY COMPANY (a.k.a. AG TERMINAL OOO; a.k.a. LLC AG TERMINAL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU AVIA GRUPP TERMINAL (Cyrillic: ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ АВИА ГРУПП ТЕРМИНАЛ)), Ter. Aeroport Sheremetyevo, Khimki, Moscovskaya Oblast 141400, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions

Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] (Linked To: AVIA GROUP LLC).

12. BANK ROSSIYA (a.k.a. AB ROSSIYA, OAO; f.k.a. AKTSIONERNY BANK RUSSIAN FEDERATION; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO AKTSIONERNY BANK ROSSIYA), 2 Liter A Pl. Rastrelli, Saint Petersburg 191124, Russia; SWIFT/BIC ROSYRU2P; Website www.abr.ru; Email Address bank@abr.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027800000084 (Russia); Tax ID No. 7831000122 (Russia); Government Gazette Number 09804148 (Russia) [UKRAINE-EO13661].

13. BASIC ELEMENT LIMITED (a.k.a. BAZOVY ELEMENT), Esplanade 44, Saint Helier JE4 9WG, Jersey; 30 Rochdelskaya Street, Moscow 123022, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 84039 [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich).

14. BERATEX GROUP LIMITED (a.k.a. BERATEX GROUP LTD.), Suite 1, Sound and Vision House, Francis Rachel Street, Victoria, Mahe, Seychelles; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

15. B-FINANCE LTD, Vanterpool Plaza, 2nd Floor, Wickhams Cay, Road Town, Tortola, Virgin Islands, British; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich).

16. BIKE CENTER (a.k.a. BAIK. V. TSENTR; a.k.a. BAIK. V. TSENTR, OOO; a.k.a. BIKE V. CENTER), Nizhnije Mnevniki, 110, Moscow, Russia; ul. Nikitskaya B. D. 11/4, korp. 3, Moscow 103009, Russia; 1 1/4, str.3 ul. Nikitskaya B., Moscow 103009, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Trade License No. 1037739620390 (Russia); Government Gazette Number 54842899 (Russia) [UKRAINE-EO13660].

17. CENTRAL REPUBLIC BANK (a.k.a. CENTRAL NATIONAL BANK OF THE DONETSK PEOPLE'S REPUBLIC), Prospekt Mira 8a, Donetsk 83015, Ukraine; Website www.crb-dnr.ru; Email Address bank@crb-dnr.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

18. CHERNOMORNEFTEGAZ (a.k.a. CHORNOMORNAFTOGAZ; a.k.a. NJSC CHORNOMORNAFTOGAZ), Kirova / per. Sovnarkomovskaya, 52/1, Simferopol, Crimea 95000, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; This designation refers to the entity in Crimea at the listed address only, and does not include its parent company. [UKRAINE-EO13660].

19. AO ABR MANAGEMENT (Cyrillic: АО АБР МЕНЕДЖМЕНТ) (a.k.a. ABR MANAGEMENT AO (Cyrillic: АБР МЕНЕДЖМЕНТ АО); a.k.a. AKTSIONERNOE OBSHCHESTVO ABR MENEDZHMENT; a.k.a. AO ABR MENEDZHMENT; a.k.a. JOINT STOCK COMPANY ABR MANAGEMENT; a.k.a. "ABR MANAGEMENT"), ul. Graftio, d. 7 litera A, g. Sankt-Peterburg 197022, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7842467053 (Russia); Registration Number 1117847707383 (Russia) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: BANK ROSSIYA).

20. CJSC SOVMORTRANS (a.k.a. SOVMORTRANS CJSC), Rakhmanovskiy lane, 4, bld. 1, Morskoy House, Moscow 127994, Russia; Email Address smt@sovmortrans.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

21. CJSC ZEST (a.k.a. ZEST LEASING), pr. Medikov 5, of. 301, St. Petersburg, Russia; 2 Liter a Pl. Rastrelli, St. Petersburg 191124, Russia; Website http://www.zest-leasing.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027809190507; Government Gazette Number 44323193 [UKRAINE-EO13661].

22. CONCORD CATERING, Nab. Lieutenant Schmidt D. 7, von Keyserling Mansion, St. Petersburg 119034, Russia; Ulitsa Volkhonka Dom 9, Moscow 119019, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] (Linked To: INTERNET RESEARCH AGENCY LLC).

23. CRIMEAN ENTERPRISE AZOV DISTILLERY PLANT (a.k.a. AZOVSKY LIKEROGORILCHANY ZAVOD, KRYMSKE RESPUBLIKANSKE PIDPRYEMSTVO; a.k.a. AZOVSKY LIKEROVO-DOCHNY ZAVOD; a.k.a. CRIMEAN REPUBLICAN ENTERPRISE AZOV DISTILLERY; a.k.a. CRIMEAN REPUBLICAN ENTERPRISE AZOVSKY LIKEROVODOCHNY ZAVOD; a.k.a. KRYMSKE RESPUBLIKANSKE PIDPRYEMSTVO AZOVSKY LIKEROGORILCHANY ZAVOD), Bud. 40 vul. Zaliznychna, Smt Azovske, Dzhankoisky R-N, Crimea 96178, Ukraine; 40 Railway St., Azov, Dzhankoy District

96178, Ukraine; 40 Zeleznodorozhnaya str., Azov, Jankoysky District 96178, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01271681 (Ukraine) [UKRAINE-EO13685].

24. CRIMEAN PORTS (a.k.a. STATE UNITARY ENTERPRISE OF THE REPUBLIC OF CRIMEA 'CRIMEAN PORTS'; a.k.a. SUE RK 'CRIMEAN PORTS'; a.k.a. "SUE RC 'KMP'"), 28 Kirov Street, Kerch, Republic of Crimea 98312, Ukraine; Email Address crimeaport@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149102012620; V.A.T. Number 9111000450 [UKRAINE-EO13685].

25. CRIMEAN RAILWAY (a.k.a. FEDERAL STATE UNITARY ENTERPRISE 'CRIMEAN RAILWAY'; a.k.a. KRYMZHD; a.k.a. THE RAILWAYS OF CRIMEA), 34 Pavlenko Street, Simferopol, Republic of Crimea 95006, Ukraine; Website http://www.crimearw.ru; Email Address ngkkjd@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1159102022738; V.A.T. Number 9102157783 [UKRAINE-EO13685].

26. DONBASS PEOPLE'S MILITIA (a.k.a. PEOPLE'S MILITIA OF DONBASS), Prospect Zasyadko.13, Donetsk, Ukraine; Email Address voenkom.dnr@mail.ru; alt. Email Address mobilisation@novorossia.co; alt. Email Address novoross24@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

27. DONCOALTRADE SP Z O O, Ul. Barbary 21, Katowice, woj. Slaskie, pow. M. Katowice 40-053, Poland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 0000421465 (Poland) [UKRAINE-EO13660] (Linked To: MELNYCHUK, Oleksandr).

28. DONETSK PEOPLE'S REPUBLIC, Donetsk Region, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

29. EURASIAN YOUTH UNION, Russia 3, Bagrationovskiy Proezd, House 7, Area 20 B, Office 405, Moscow 121087, Russia; Website http://rossia3.ru; Email Address esm@rossia3.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

30. EVRO POLIS LTD. (a.k.a. EVRO POLIS, OOO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU EVRO POLIS), d. 1A pom. 9.1A,

Shosse Ilinskoe, Krasnogorsk, Krasnogorski Raion, Moskovskaya Obl. 143409, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1165024055613 [UKRAINE-EO13661] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

31. FAU 'GLAVGOSEKSPERTIZA ROSSII' (a.k.a. FEDERAL AUTONOMOUS INSTITUTION 'MAIN DIRECTORATE OF STATE EXAMINATION'; a.k.a. GENERAL BOARD OF STATE EXPERT REVIEW; a.k.a. GLAVGOSEKSPERTIZA), Furkasovskiy Lane, building 6, Moscow 101000, Russia; 13 Demidova Street, Sevastopol, Crimea, Ukraine; 10 Vokzalnaya Street, Sevastopol, Crimea, Ukraine; Website http://gge.ru; Email Address info@gge.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

32. FEDERAL GOVERNMENT INSTITUTION PRETRIAL DETENTION CENTER NO 1 OF THE DIRECTORATE OF THE FEDERAL PENITENTIARY SERVICE FOR THE REPUBLIC OF CRIMEA AND SEVASTOPOL (Cyrillic: ФЕДЕРАЛЬНОЕ КАЗЕННОЕ УЧРЕЖДЕНИЕ СЛЕДСТВЕННЫЙ ИЗОЛЯТОР NO 1 УПРАВЛЕНИЯ ФЕДЕРАЛЬНОЙ СЛУЖБЫ ИСПОЛНЕНИЯ НАКАЗАНИЙ ПО РЕСПУБЛИКЕ КРЫМ И Г. СЕВАСТОПОЛЮ) (a.k.a. DETENTION CENTER NO 1 IN SIMFEROPOL; a.k.a. FKU SIZO-1 UFSIN OF RUSSIA FOR THE REPUBLIC OF CRIMEA AND SEVASTOPOL (Cyrillic: ФКУ СИЗО-1 УФСИН РОССИИ ПО РЕСПУБЛИКЕ КРЫМ И Г. СЕВАСТОПОЛЮ); a.k.a. SIMFEROPOL REMAND PRISON; a.k.a. SIMFEROPOL SIZO), Bulvar Lenina, dom 4, Simferopol, Crimea 295006, Ukraine; Lenin Boulevard, 4, Simferopol, Crimea 295006, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9102002109 (Russia); Registration Number 1149102002389 (Russia) [UKRAINE-EO13685].

33. FEDERAL STATE UNITARY ENTERPRISE STATE RESEARCH AND PRODUCTION ENTERPRISE BAZALT (a.k.a. FEDERAL STATE UNITARY ENTERPRISE, STATE RESEARCH AND PRODUCTION ENTERPRISE BAZALT; a.k.a. FSUE SRPE BAZALT; a.k.a. STATE RESEARCH AND PRODUCTION ENTERPRISE BAZALT), 32 Velyaminovskaya, Moscow 105318, Russia; Website www.bazalt.ru; Email Address moscow@bazalt.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

34. FEDERAL SUE SHIPYARD 'MORYE' (a.k.a. FEDERAL STATE UNITARY ENTERPRISE SZ MORYE; a.k.a. FSUE SZ 'MORYE'; a.k.a. MORYE

SHIPYARD; a.k.a. "MORE SHIPYARD"), 1 Desantnikov Street, Feodosia, Crimea 98176, Ukraine; Website http://moreship.ru/; Email Address office@moreship.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

35. FENTEX PROPERTIES LTD., Tortola, Virgin Islands, British; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

36. FEODOSIYA ENTERPRISE (a.k.a. FEODOSIA OIL PRODUCTS SUPPLY CO.; a.k.a. FEODOSIYA ENTERPRISE ON PROVIDING OIL PRODUCTS; a.k.a. FEODOSIYSKE COMPANY FOR THE OIL; a.k.a. THEODOSIYA OIL TERMINAL), Feodosiya, Geologicheskaya str. 2, Crimea 98107, Ukraine; Feodosia, Str. Geological 2, Crimea 98107, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

37. FKU UPRDOR 'TAMAN' (a.k.a. FEDERAL STATE INSTITUTION MANAGEMENT OF FEDERAL ROADS 'TAMAN'), 3 Revolution Avenue, Anapa, Krasnodar 353440, Russia; Website http://fkutaman.ru/; Email Address office@fkutaman.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

38. GAZPROM BURENIE, OOO (f.k.a. BUROVAYA KOMPANIYA OAO GAZPROM, DOCHERNEE OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. GAZPROM BURENIYE LLC; a.k.a. GAZPROM DRILLING; a.k.a. LIMITED LIABILITY COMPANY GAZPROM BURENIYE; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU GAZPROM BURENIE), 12A, ul. Nametkina, Moscow 117420, Russia; Website www.burgaz.ru; Email Address mail@burgaz.gazprom.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028900620319; Tax ID No. 5003026493; Government Gazette Number 00156251 [UKRAINE-EO13662] (Linked To: ROTENBERG, Igor Arkadyevich).

39. GRAND SERVICE EXPRESS (Cyrillic: ГРАНД СЕРВИС ЭКСПРЕСС) (a.k.a. AO GRAND SERVIS EKSPRESS; a.k.a. JOINT STOCK COMPANY GRAND SERVICE EXPRESS; a.k.a. JOINT STOCK COMPANY TRANSPORT COMPANY GRAND SERVICE EXPRESS (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО ТРАНСПОРТНАЯ КОМПАНИЯ ГРАНД СЕРВИС ЭКСПРЕСС); a.k.a. "GRAND EXPRESS" (Cyrillic: "ГРАНД ЭКСПРЕСС"); a.k.a. "JSC GSE"), 85 Sheremetevskaya St., Building 1, Moscow 129075, Russia; ul. Sheremetevskaya,

d. 85, str. 1, Moscow 129075, Russia; P.O. Box 15, Moscow 129075, Russia; a/ya 15, Moscow 129075, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7705445700 (Russia) [UKRAINE-EO13685].

40. GUP RK KTB SUDOKOMPOZIT (Cyrillic: ГУП РК КТБ СУДОКОМПОЗИТ) (a.k.a. GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE RESPUBLIKI KRIM KONSTRUKTORSKO-TECHNOLOGICHESKOE BYURO SUDOKOMPOZIT (Cyrillic: ГОСУДАРСТВЕННОЕ УНИТАРНОЕ ПРЕДПРИЯТИЕ РЕСПУБЛИКИ КРЫМ КОНСТРУКТОРСКО ТЕХНОЛОГИЧЕСКОЕ БЮРО СУДОКОМПОЗИТ); a.k.a. KTB SUDOKOMPOZIT, GUP; a.k.a. STATE UNITARY ENTERPRISE IN THE REPUBLIC OF CRIMEA DESIGN-TECHNOLOGY BUREAU SUDOKOMPOZIT; a.k.a. SUDOKOMPOZIT DESIGN AND TECHNOLOGICAL BUREAU), House 14, Kuibysheva Street, Feodosia, Crimea 298100, Ukraine; Website http://sudocompozit.ru/; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9108007745 (Russia); Government Gazette Number 00745510 (Russia); Registration Number 1149102094680 (Russia) [UKRAINE-EO13685].

41. IFDK, ZAO (a.k.a. CLOSED JOINT STOCK COMPANY 'IFD KAPITAL'; a.k.a. IFD KAPITAL; a.k.a. IFD KAPITAL GROUP; a.k.a. IFD-CAPITAL; a.k.a. IFD-KAPITAL; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO 'IFD KAPITAL'; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO IFD KARITAL), 6 naberezhnaya, Krasnopresnenskaya, Moscow 123100, Russia; Website www.ifdk.com; Email Address info@ifdk.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027703007452 (Russia); Tax ID No. 7703354743 (Russia); Government Gazette Number 59109241 (Russia) [UKRAINE-EO13685].

42. INRESBANK OOO (a.k.a. INRESBANK LTD; a.k.a. INVESTITSIONNY RESPUBLIKANSKI BANK OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. INVESTMENT REPUBLIC BANK LLC; f.k.a. OOO KBK BANK), Ulitsa Bolshaya Semenovskaya, D. 32, Str. 1, Moscow 107023, Russia; SWIFT/BIC INKKRUM1; alt. SWIFT/BIC IREPRUMM; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] (Linked To: SMP BANK).

43. INSTAR LODZHISTIKS, OOO (a.k.a. INSTAR LOGISTICS), d. 20 str., 7 ofis 102V, ul. Elektrozavodskaya, Moscow 1072023, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209;

Registration ID 1027739429981 (Russia); Tax ID No. 7714136948 (Russia); Government Gazette Number 18631592 (Russia) [UKRAINE-EO13661].

44. INSTITUT STROIPROEKT, AO (a.k.a. AKTSIONERNOE OBSHCESTVO INSTITUT STROIPROEKT; a.k.a. AO INSTITUT STROIPROEKT; a.k.a. AO INSTITUTE STROYPROEKT; f.k.a. INSTITUT STROIPROEKT ZAKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. INSTITUTE STROYPROECT; a.k.a. STROYPROEKT; a.k.a. STROYPROEKT ENGINEERING GROUP), D. 13 Korp. 2 LiteraA Prospekt Dunaiski, St. Petersburg 196158, Russia; 13/2 Dunaisky Prospect, St. Petersburg 196158, Russia; Website http://www.stpr.ru; Email Address Most@stpr.ru; alt. Email Address Murina@stpr.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027810258673; Tax ID No. 7826688390; Government Gazette Number 11117863 [UKRAINE-EO13685].

45. INTERNATIONAL ANTICRISIS CENTER (Cyrillic: МЕЖДУНАРОДНЫЙ АНТИКРИЗИСНЫЙ ЦЕНТР), Russia; Website anticrisis.cc; Email Address info@anticrisis.cc; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

46. INVESTCAPITALBANK (a.k.a. INVESTKAPITALBANK; a.k.a. OJSC INVESTCAPITALBANK; a.k.a. OPEN JOINT STOCK COMPANY INVESTCAPITALBANK), 100/1, Dostoevskogo Street, Ufa, Bashkortostan Republic 450077, Russia; SWIFT/BIC INAKRU41; Website http://www.investcapitalbank.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; License 2377 [UKRAINE-EO13661].

47. IPP OIL PRODUCTS (CYPRUS) LIMITED, 12 Esperidon Street, 4th Floor, Nicosia 1087, Cyprus; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number C210706 [UKRAINE-EO13661].

48. IS BANK, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO KOMMERCHESKI BANK INDUSTRIALNY SBEREGATELNY BANK; f.k.a. CLOSED JOINT STOCK COMPANY COMMERCIAL BANK 'INDUSTRIAL SAVINGS BANK'; a.k.a. JOINT-STOCK COMPANY COMMERCIAL BANK 'INDUSTRIAL SAVINGS BANK'; a.k.a. JSC CB 'IS BANK'), Eldoradovsky per 7, Moscow 125167, Russia; 29/UL, prospect Kirova, Simferopol, Crimea 295011, Ukraine; Building 160, Office 104, Kievskaya Street, Simferopol, Crimea 295493, Ukraine; Building 25, Lenin Street, Kerch, Crimea 298300, Ukraine; alt. SWIFT/BIC

RISBRUMM; BIK (RU) 044525349; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739339715 (Russia); Tax ID No. 7744001673 (Russia); Government Gazette Number 40199908 (Russia) [UKRAINE-EO13685].

49. IZHEVSKY MEKHANICHESKY ZAVOD JSC (a.k.a. BAIKAL), 8 Promyshlennaya Str., Izhevsk 426063, Russia; Website http://www.baikalinc.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

50. JOINT STOCK COMMERCIAL BANK RUBLEV (a.k.a. AKTSIONERNOE OBSHCHESTVO KOMMERCHESKI BANK RUBLEV; a.k.a. BANK RUBLEV; a.k.a. JSC CB 'RUBLEV'; a.k.a. RUBLEV BANK), Elokhovsky passage, Building 3, p. 2, Metro – Baumanskaya, Moscow 105066, Russia; 12 Sevastopol Street, Simferopol, Crimea, Ukraine; 6 Gogol Street, Sevastopol, Crimea, Ukraine; alt. SWIFT/BIC COUERUMM; BIK (RU) 044525253; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700159233 (Russia); Tax ID No. 7744001151 (Russia); Government Gazette Number 40100094 (Russia) [UKRAINE-EO13685].

51. JOINT STOCK COMPANY ALMAZ-ANTEY AIR DEFENSE CONCERN MAIN SYSTEM DESIGN BUREAU NAMED BY ACADEMICIAN A.A. RASPLETIN (a.k.a. A.A. RASPLETIN MAIN SYSTEM DESIGN BUREAU; a.k.a. ALMAZ-ANTEY GSKB; a.k.a. ALMAZ-ANTEY GSKB IMENI ACADEMICIAN A.A. RASPLETIN; a.k.a. ALMAZ-ANTEY MSDB; a.k.a. ALMAZ-ANTEY PVO 'AIR DEFENSE' CONCERN LEAD SYSTEMS DESIGN BUREAU OAO 'OPEN JOINT-STOCK COMPANY' IMENI ACADEMICIAN A.A. RASPLETIN; a.k.a. GOLOVNOYE SISTEMNOYE KONSTRUKTORSKOYE BYURO OPEN JOINT-STOCK COMPANY OF ALMAZ-ANTEY PVO CONCERN IMENI ACADEMICIAN A.A. RASPLETIN; a.k.a. JSC 'ALMAZ-ANTEY' MSDB; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NAUCHNO PROIZVODSTVENNOE OBEDINENIE ALMAZ IMENI AKADEMIKA A.A. RASPLETINA; a.k.a. "GSKB"), 16-80, Leningradsky Prospect, Moscow 125190, Russia; Website http://www.raspletin.ru/; Email Address info@raspletin.ru; alt. Email Address almaz_zakupki@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

52. JOINT STOCK COMPANY BLACK SEA BANK OF DEVELOPMENT AND RECONSTRUCTION (a.k.a. AKTSIONERNOE OBSHCHESTVO CHERNOMORSKI BANK RAZVITIYA I REKONSTRUKTSII; a.k.a. BANK CHBRR, AO; f.k.a. BANK CHBRR, PAO; a.k.a. 'CHERNOMORSKI BANK

RAZVITIYA I REKONSTRUKTSII, OTKRYTOE AKTSIONERNOE OBSHCHESTVO'; a.k.a. JSC 'BLACK SEA BANK FOR DEVELOPMENT & RECONSTRUCTION'; f.k.a. OPEN JOINT STOCK COMPANY BLACK SEA DEVELOPMENT AND RECONSTRUCTION BANK), 24 ul. Bolshevistskaya, Simferopol, Crimea 295001, Ukraine; BIK (RU) 043510101; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149102030186 (Russia); Tax ID No. 9102019769 (Russia); Government Gazette Number 00204814 (Russia); License 3527 (Russia) [UKRAINE-EO13685].

53. JOINT STOCK COMPANY CONCERN RADIO-ELECTRONIC TECHNOLOGIES (a.k.a. CONCERN RADIO-ELECTRONIC TECHNOLOGIES; a.k.a. "KRET"), 20/1 Korp. 1 ul. Goncharnaya, Moscow 109240, Russia; Website http://www.kret.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746084666 [UKRAINE-EO13661].

54. JOINT STOCK COMPANY CONCERN SOZVEZDIE (a.k.a. JSC CONCERN SOZVEZDIE), 14 Plekhanovskaya Street, Voronezh, Russia; 14 ul. Plekhanovskaya, Voronezh, Voronezhskaya obl. 394018, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1053600445337 [UKRAINE-EO13661].

55. JOINT STOCK COMPANY GENBANK (a.k.a. AKTSIONERNOE OBSHCHESTVO GENBANK (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО ГЕНБАНК); a.k.a. CLOSED JOINT STOCK COMPANY GENBANK; a.k.a. GENBANK, AO (Cyrillic: ГЕНБАНК, АО); a.k.a. JSC GENBANK), Ozerkovskaya Naberezhnaya 12, Moscow 115184, Russia; Ulitsa Sevastopolskaya 13, Simferopol 295011, Ukraine; SWIFT/BIC GEOORUMM; Website www.genbank.ru; Email Address info@genbank.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1137711000074 (Russia) [UKRAINE-EO13685].

56. JOINT STOCK COMPANY MILITARY-INDUSTRIAL CORPORATION NPO MASHINOSTROYENIA (a.k.a. JOINT STOCK COMPANY MILITARY INDUSTRIAL CONSORTIUM NPO MASHINOSTROYENIA; a.k.a. JSC MIC NPO MASHINOSTROYENIA; a.k.a. MIC NPO MASHINOSTROYENIA JSC; a.k.a. MIC NPO MASHINOSTROYENIYA JSC; a.k.a. MILITARY INDUSTRIAL CORPORATION NPO MASHINOSTROENIA OAO; a.k.a. OPEN JOINT STOCK COMPANY MILITARY INDUSTRIAL CORPORATION SCIENTIFIC AND PRODUCTION MACHINE BUILDING ASSOCIATION; a.k.a. VOENNO-PROMYSHLENNAYA KORPORATSIYA NAUCHNO-PROIZVODSTVENNOE

OBEDINENIE MASHINOSTROENIYA OAO; a.k.a. VPK NPO MASHINOSTROENIYA), 33, Gagarina St., Reutov-town, Moscow Region 143966, Russia; 33 Gagarin Street, Reutov, Moscow Region 143966, Russia; 33 Gagarina ul., Reutov, Moskovskaya obl 143966, Russia; Website www.npomash.ru; Email Address export@npomash.ru; alt. Email Address vpk@npomash.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1075012001492 (Russia); Tax ID No. 5012039795 (Russia); Government Gazette Number 07501739 (Russia) [UKRAINE-EO13661].

57. JOINT STOCK COMPANY SANATORIUM AY-PETRI (a.k.a. JOINT STOCK COMPANY AI-PETRI SANATORIUM; a.k.a. JSC SANATORIUM AY-PETRI), House 15, Alupkinskoye shosse, Urban Village Koreiz, City of Yalta, Crimea 298671, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9103082749 (Russia); Registration Number 1169102093797 (Russia) [UKRAINE-EO13685].

58. JOINT STOCK COMPANY SANATORIUM DYULBER (a.k.a. JOINT STOCK COMPANY DIULBER SANATORIUM; a.k.a. JSC SANATORIUM DYULBER), House 19, Alupkinskoye shosse, Koreiz, Yalta, Crimea 298671, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9103084143 (Russia); Registration Number 1179102009525 (Russia) [UKRAINE-EO13685].

59. JOINT STOCK COMPANY SANATORIUM MISKHOR (a.k.a. JSC SANATORIUM MISKHOR), House 9, Alupkinskoye shosse, Koreiz, Yalta, Crimea 298671, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9103082756 (Russia); Registration Number 1169102093930 (Russia) [UKRAINE-EO13685].

60. JOINT STOCK COMPANY SEVASTOPOLSKY MORSKOY BANK (a.k.a. AKTSIONERNOE OBSHCHESTVO SEVASTOPOLSKIY MORSKOY BANK; a.k.a. AO SEVASTOPOLSKIY MORSKOY BANK; a.k.a. JSC SEVASTOPOLSKY MORSKOY BANK), 18a Brestska Street, Sevastopol, Crimea 99001, Ukraine; 18/A Ulitsa Brestskaya, Sevastopol, Crimea 299001, Ukraine; SWIFT/BIC MORKUAUK; Website www.morskoybank.com; Email Address root@morskoybank.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149204013397 [UKRAINE-EO13685].

61. JOINT-STOCK COMPANY COMMERCIAL BANK NORTH CREDIT (a.k.a. JSC CB NORTH CREDIT; a.k.a. NORTH CREDIT BANK), Building 27, Herzen Street, Vologda, Vologda Oblast 160000, Russia; Building 29a, Zhelyabova Street, Simferopol, Crimea 295011, Ukraine; ul. Gertsena 27, Vologda, Vologodskaya

Oblast 160000, Russia; alt. SWIFT/BIC NOCRRU21; BIK (RU) 041909769; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022900001772 (Russia); Tax ID No. 2901009852 (Russia) [UKRAINE-EO13685].

62. JOINT-STOCK COMPANY CONCERN ALMAZ-ANTEY (a.k.a. ALMAZ-ANTEY CORP; a.k.a. ALMAZ-ANTEY DEFENSE CORPORATION; a.k.a. ALMAZ-ANTEY JSC; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KONTSERN PVO ALMAZ ANTEI), 41 ul. Vereiskaya, Moscow 121471, Russia; Website almaz-antey.ru; Email Address antey@almaz-antey.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

63. JOINT-STOCK COMPANY THE BERKAKIT-TOMMOT-YAKUTSK RAILWAY LINE'S CONSTRUCTION DIRECTORATE (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО ДИРЕКЦИЯ ПО СТРОИТЕЛЬСТВУ ЖЕЛЕЗНОЙ ДОРОГИ БЕРКАКИТ-ТОММОТ-ЯКУТСК) (a.k.a. AKTSIONERNOE OBSHCHESTVO DIREKTSIYA PO STROITEL'STVU ZHELEZNOY DOROGI BERKAKIT-TOMMOT-YAKUTSK; a.k.a. JSC DSZHD BTYA (Cyrillic: АО ДСЖД БТЯ); a.k.a. OPEN JOINT-STOCK COMPANY THE BERKAKIT-TOMMOT-YAKUTSK RAILWAY LINE'S CONSTRUCTION DIRECTORATE (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ДИРЕКЦИЯ ПО СТРОИТЕЛЬСТВУ ЖЕЛЕЗНОЙ ДОРОГИ БЕРКАКИТ-ТОММОТ-ЯКУТСК)), Mayakovsky street, building 14, Aldan, Republic of Sakha (Yakutia) 678900, Russia (Cyrillic: улица Маяковского, дом 14, город Алдан, Республика Саха (Якутия) 678900, Russia); Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1121402000213 (Russia); Tax ID No. 1402015986 (Russia) [UKRAINE-EO13685].

64. JSB SOBINBANK (a.k.a. SOBINBANK), 15 Korp. 56 D. 4 Etazh ul. Rochdelskaya, Moscow 123022, Russia; 15/56 Rochdelskaya Street, Moscow 123022, Russia; SWIFT/BIC SBBARUMM; Website http://www.sobinbank.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739051009; Government Gazette Number 09610355 [UKRAINE-EO13661].

65. JSC V. TIKHOMIROV SCIENTIFIC RESEARCH INSTITUTE OF INSTRUMENT DESIGN (a.k.a. JSC NIIP; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NAUCHNO ISSLEDOVATELSKI INSTITUT PRIBOROSTROENIYA IMENI V.V. TIKHOMIROVA), 3 Ul. Gagarina, Zhukovski, Moskovskaya Obl 140180, Russia; Gagarin Str, 3, Zhukovsky 140180, Russia; Website http://www.niip.ru;

Email Address niip@niip.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025001627859; Government Gazette Number 13185231 (Russia) [UKRAINE-EO13661].

66. KALASHNIKOV CONCERN (a.k.a. CONCERN KALASHNIKOV; a.k.a. IZHEVSKIY MASHINOSTROITEL'NYI ZAVOD OAO; f.k.a. IZHMASH R&D CENTER; f.k.a. JSC NPO IZHMASH; f.k.a. NPO IZHMASH OAO; a.k.a. OJSC CONCERN KALASHNIKOV; f.k.a. OJSC IZHMASH; f.k.a. SCIENTIFIC PRODUCTION ASSOCIATION IZHMASH JOINT STOCK COMPANY), 3, Derjabin Pr., Izhevsk, Udmurt Republic 426006, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1111832003018 [UKRAINE-EO13661].

67. KALININ MACHINE PLANT JSC (a.k.a. KALININ MACHINE-BUILDING PLANT OPEN JOINT-STOCK COMPANY; a.k.a. KALININ MACHINERY PLANT-BRD; a.k.a. MASHINOSTROITEL'NYI ZAVOD IM. M.I. KALININA, G. YEKATERINBURG OAO; a.k.a. MZIK OAO; a.k.a. OPEN-END JOINT-STOCK COMPANY 'KALININ MACHINERY PLANT. YEKATERINBURG'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO MASHINOSTROITELNY ZAVOD IM.M.I.KALININA, G.EKATERINBURG), 18 prospekt Kosmonavtov, Ekaterinburg, Sverdlovskaya obl. 620017, Russia; Email Address info@zik.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

68. KARST, OOO (a.k.a. CONSTRUCTION HOLDING COMPANY OLD CITY – KARST; a.k.a. OBSHCESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KARST; a.k.a. "KARST LTD."; a.k.a. "LLC KARST"), D. 4 Litera A Pomeshchenie 69 ul. Kapitanskaya, St. Petersburg 199397, Russia; 4 Kapitanskaya Street, Unit A, Office 69-N, St. Petersburg 199397, Russia; Website http://www.oldcitykarst.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037800012711; Tax ID No. 7801106690; Government Gazette Number 48937526 [UKRAINE-EO13685].

69. KOMPANIYA GAZ-ALYANS, OOO (a.k.a. COMPANY GAZ-ALLIANCE LLC; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KOMPANIYA GAZ-ALYANS), 15 Ul., Svobody, Nizhni Novgorod, Nizhegorodskaya Obl. 603003, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1142311010885 (Russia) [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S

REPUBLIC; Linked To: LUHANSK PEOPLE'S REPUBLIC; Linked To: ZAO VNESHTORGSERVIS).

70. KONSTRUKTORSKOE BYURO PRIBOROSTROENIYA OTKRYTOE AKTSIONERNOE OBSHCHESTVO (a.k.a. INSTRUMENT DESIGN BUREAU; a.k.a. JSC KBP INSTRUMENT DESIGN BUREAU; a.k.a. KBP INSTRUMENT DESIGN BUREAU; a.k.a. KBP INSTRUMENT DESIGN BUREAU JOINT STOCK COMPANY; a.k.a. "KBP OAO"), 59 Shcheglovskaya Zaseka ul., Tula 300001, Russia; Website www.kbptula.ru; Email Address kbkedr@tula.net; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117154036911 (Russia); Government Gazette Number 07515747 (Russia) [UKRAINE-EO13661].

71. KPSK, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'KRYMSKAYA PERVAYA STRAKHOVAYA KOMPANIYA'; a.k.a. OOO 'KRYMSKAYA PERVAYA STRAKHOVAYA KOMPANIYA'), 29 ul. Karla Marksa, Simferopol, Crimea 295006, Ukraine; Website kpsk-ins.ru; Email Address kpsk-ins@yandex.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149102007933 (Russia); Tax ID No. 9102006047 (Russia); Government Gazette Number 00132598 (Russia) [UKRAINE-EO13685].

72. KRYMTETS, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO KRYMTEPLOELEKTROTSENTRAL; a.k.a. AO, KRIMTETS; f.k.a. KRYMTEPLOELEKTROTSENTRAL, AO), 1, ul. Montazhnaya Pgt. Gresovski, Simferopol, Crimea 295493, Ukraine; Website www.krimtec.com; Email Address e.hmelnitskiy@krimtec.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9102070194 (Russia); Government Gazette Number 00828288 (Russia); Registration Number 1159102014169 (Russia) [UKRAINE-EO13685].

73. LADOGA MENEDZHMENT, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU LADOGA MENEDZHMENT; a.k.a. OOO LADOGA MANAGEMENT), 10, naberezhnaya Presnenskaya, Moscow 123317, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1147748143971; Tax ID No. 7729442761; Government Gazette Number 29437172 [UKRAINE-EO13662] (Linked To: SHAMALOV, Kirill Nikolaevich).

74. LENPROMTRANSPROYEKT (Cyrillic: АО ЛЕНПРОМТРАНСПРОЕКТ) (a.k.a. LENPROMTRANSPROEKT CJSC; a.k.a. LENPROMTRANSPROYEKT JOINT-STOCK COMPANY), Kondrat'yevskiy Prospekt 15, building 5/1, 223, St.

Petersburg 195197, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7825064262 (Russia); Business Registration Number 1027809210054 (Russia) [UKRAINE-EO13685].

75. LERMA TRADING S.A., Calle 53a Este, Panama; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

76. LIMITED LIABILITY COMPANY CONCORD MANAGEMENT AND CONSULTING (a.k.a. KONKORD MENEDZHMENT I KONSALTING, OOO; a.k.a. LLC CONCORD MANAGEMENT AND CONSULTING; a.k.a. OBSHCHESTVO S OGRANNICHENNOI OTVETSTVENNOSTYU KONKORD MENEDZHMENT I KONSALTING), D. 13 Litera A, Pom. 2-N N4, Naberezhnaya Reki Fontanki, St. Petersburg 191011, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037843002515 [UKRAINE-EO13661] [CYBER2] (Linked To: INTERNET RESEARCH AGENCY LLC).

77. LIMITED LIABILITY COMPANY FOREIGN ECONOMIC ASSOCIATION TECHNOPROMEXPORT (a.k.a. OBSCHESTVO S OGRANICHENNOI OTVESTVENNOSTYU VNESHNEEKONOMICHESKOE OBEDINENIE TEKHNOPROMEKSPORT; a.k.a. OOO VO TECHNOPROMEXPORT; a.k.a. OOO VO TPE), Novyi Arbat Str. 15, Building 2, Moscow 119019, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1147746527279 (Russia); Tax ID No. 7704863782e (Russia) [UKRAINE-EO13685].

78. LIMITED LIABILITY COMPANY GARANT-SV (a.k.a. GARANT-SV; a.k.a. GARANT-SV LIMITED LIABILITY COMPANY; a.k.a. GARANT-SV LLC; a.k.a. GARANT-SV, OOO; a.k.a. LLC GARANT-SV; a.k.a. OOO GARANT-SV), House 9, Generala Ostryakova Street, Opolznevoye Village, Yalta, Crimea 298685, Ukraine; 9, Generala Ostryakova St., Opolznevoye, Yalta, Crimea 298685, Ukraine; Website http://mriyaresort.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9103007830 (Russia); Registration Number 1149102066740 (Russia) [UKRAINE-EO13685].

79. LIMITED LIABILITY COMPANY INFRASTRUCTURE PROJECTS MANAGEMENT COMPANY (a.k.a. MANAGEMENT COMPANY FOR INFRASTRUCTURE PROJECTS; a.k.a. UPRAVLYAYUSHCHAYA KOMPANIYA INFRASTRUKTURNYKH PROEKTOV; a.k.a. "LLC UKIP"; a.k.a. "UKIP"; a.k.a. "UKIP, OOO"), Sevastopolskaya Street, House 41/2, Simferopol,

Crimea 295024, Ukraine; Email Address fnatali@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9102045582 (Russia); Government Gazette Number 00742767 (Russia); Registration Number 1149102091654 (Russia) [UKRAINE-EO13685].

80. LIMITED LIABILITY COMPANY SOUTHERN PROJECT (a.k.a. LLC SOUTHERN PROJECT; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU YUZHNY PROEKT; a.k.a. YUZHNY PROEKT, OOO), Room 15-H, Litera A, House 2, Rastrelli Place, City of St. Petersburg 191124, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7842144503 (Russia); Registration Number 1177847378279 (Russia) [UKRAINE-EO13661] [UKRAINE-EO13685] (Linked To: BANK ROSSIYA; Linked To: KOVALCHUK, Yuri Valentinovich).

81. LINBURG INDUSTRIES LTD., Alpha Centre, Providence Office, Number 22, Mahe, Seychelles; Blanicka 590/3, Vinohrady, Prague 120 000, Czech Republic; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration Number 191335 (Seychelles) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

82. LLC KOKSOKHIMTRANS (Cyrillic: ООО КОКСОХИМТРАНС) (a.k.a. KOKSOKHIMTRANS LTD.; a.k.a. KOKSOKHIMTRANS OOO), Rakhmanovskiy lane, 4, bld. 1, Morskoy House, Moscow 127994, Russia; prospekt Olimpiyskiy 14, Moscow 129090, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7707294809 (Russia); Government Gazette Number 57067113 (Russia); Business Registration Number 1037739709138 (Russia) [UKRAINE-EO13685] [PEESA-EO14039].

83. LLC NOVYE PROEKTY (a.k.a. NOVYE PROYEKTY; a.k.a. NOVYYE PROEKTY), Km Mzhd Kievsko 5-I d. 1, Str. 1, 2, Komnata 21, Moscow 121059, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9102196207 (Russia); Government Gazette Number 00998197 (Russia); Registration Number 1159102120550 (Russia) [UKRAINE-EO13685].

84. LLC RUSCHEMTRADE, st. Mashinostroitelnyj, 3, Rostov-on-Don 344090, Russia; 86/1, Temryuk, Krasnodar 353500, Russia; Website http://ruschemtrade.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

85. LLC SK CONSOL-STROI LTD (a.k.a. LIMITED LIABILITY COMPANY CONSTRUCTION COMPANY CONSOL-STROI LTD; a.k.a. LIMITED LIABILITY COMPANY KONSTRUCTION COMPANY KONSOL STROI LTD; a.k.a. LLC CONSOL-STROI LTD; a.k.a. LLC CONSOL-STROI LTD CONSTRUCTION COMPANY; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STROITELNAYA KOMPANIYA KONSOL-STROI LTD; a.k.a. SK KONSOL-STROI LTD; a.k.a. SK KONSOL-STROI LTD, OOO; a.k.a. STROITELNAYA KOMPANIYA KONSOL-STROI LTD), House 16, Borodina Street, Simferopol, Crimea 295033, Ukraine; Website consolstroy.ru; alt. Website consol-stroi.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 9102070229 (Russia); Government Gazette Number 00823523 (Russia); Registration Number 1159102014170 (Russia) [UKRAINE-EO13685].

86. LOBAYE INVEST (a.k.a. LOBAYE INVEST SARL; a.k.a. LOBAYE INVEST SARLU), Avenue Martyrs Rue 5-064, Bangui, Central African Republic; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Type: Mining of other non-ferrous metal ores [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

87. LTS HOLDING LIMITED (f.k.a. IPP-INTERNATIONAL PETROLEUM PRODUCTS LTD.), Rue du Conseil-General 20, Geneva 1204, Switzerland; Tortola, Virgin Islands, British; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

88. LUHANSK PEOPLE'S REPUBLIC (a.k.a. LUGANSK PEOPLE'S REPUBLIC; a.k.a. PEOPLE'S REPUBLIC OF LUHANSK), Luhansk Region, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

89. M FINANS (a.k.a. M-FINANCE LLC; a.k.a. M-FINANS, OOO (Cyrillic: ООО М-ФИНАНС); a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'M-FINANS'), d. 138 korp. 1 litera V pom. 5N-18, naberezhnaya Obvodnogo Kanala, St. Petersburg, St. Petersburg 190020, Russia (Cyrillic: ДОМ 138 КОРПУС 1, ЛИТЕР В ПОМ5Н-18, ОБВОДНОГО КАНАЛА НАБ, САНКТ ПЕТЕРБУРГ Г, САНКТ ПЕТЕРБУРГ 190020, Russia); Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7839042420 (Russia); Government Gazette Number 27397712 (Russia); Registration Number 1157847290920 (Russia) [UKRAINE-

EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

90. M INVEST, OOO (Cyrillic: ООО М ИНВЕСТ), d. 76 korp. 4 litera A ofis N620, prospekt Obukhovskoi Oborony, St. Petersburg, Russia; Khartoum, Sudan; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7811636632 (Russia); Government Gazette Number 06513574 (Russia); Registration Number 1177847044066 (Russia) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

91. MAPLES SA, Boulevard Royal 25/B, 2449, Luxembourg; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

92. MARITIME ASSISTANCE LLC (Cyrillic: ООО МАРИТАЙМ АССИСТАНС) (a.k.a. LIMITED LIABILITY COMPANY MARITIME ASSISTANCE (Cyrillic: ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ МАРИТАЙМ АССИСТАНС)), Sadovaya-Kudrinskaya street, building 32-1, office XII on 6th fl., cabinet 4d, Moscow 123001, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7718075252 (Russia); Government Gazette Number 770301001 (Russia); Registration Number 1157746142960 (Russia) [SYRIA] [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT; Linked To: SYRIAN COMPANY FOR OIL TRANSPORT).

93. MARSHALL CAPITAL PARTNERS (a.k.a. MARSHALL CAPITAL), 5th Floor, Novinsky Passage Business Center, 31 Novinsky Boulevard, Moscow 123242, Russia; Website www.marcap.ru; Email Address info@marcap.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

94. MEROE GOLD CO. LTD., Al-jref Gharb Plot 134, Blok 1h, Khartoum, Sudan; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Type: Mining of other non-ferrous metal ores [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: M INVEST, OOO).

95. MOLOT-ORUZHIE, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'MOLOT-ORUZHIE'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU PROIZVODSTVENNO INSTRUMENT KACHESTVO), 135 ul. Lenina, Vyatskie Polyany, Kirov Obl.

612960, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1094307000633 (Russia); Tax ID No. 4307012765 (Russia); Government Gazette Number 60615883 (Russia) [UKRAINE-EO13661] (Linked To: KALASHNIKOV CONCERN).

96. MRIYA RESORT & SPA (a.k.a. MRIYA RESORT; a.k.a. MRIYA RESORT AND SPA; a.k.a. MRIYA SANATORIUM COMPLEX; a.k.a. MRIYA SANATORIUM RESORT COMPLEX; a.k.a. SANATORIUM-RESORT COMPLEX MRIYA), 9, Generala Ostryakova Street, Opolznevoye Village, Yalta, Crimea 298685, Ukraine; Website http://mriyaresort.com; Email Address info@mriyaresort.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685] (Linked To: LIMITED LIABILITY COMPANY GARANT-SV).

97. MYTISHCHINSKI MASHINOSTROITELNY ZAVOD, OAO (a.k.a. JSC MYTISHCHINSKI MACHINE-BUILDING PLANT; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'MYTISHCHINSKI MASHINOSTROITELNY ZAVOD'), 4 ul. Kolontsova Mytishchi, Mytishchinski Raion, Moskovskayaobl 141009, Russia; UL. Koloncova, d. 4, Mytishi, Moscow region 141009, Russia; Website www.mmzavod.ru; Email Address mmzavod@mail.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1095029003860 (Russia); Government Gazette Number 61540868 (Russia) [UKRAINE-EO13661].

98. NIGHT WOLVES (a.k.a. MOLODEZHNAYA AVTONOMNAYA NEKOMMERCHESKAYA ORGANIZATSIYA NOCHNYE VOLKI; a.k.a. NOCHNIYE VOLKI; a.k.a. NOCHNYE VOLKI), Nizhnije Mnevniki, 110, "Bike Center", Moscow, Russia; 110 Nizhniye Mnevniki, Moscow, Russia; 110 Nizhnie Mnevniki Ul., Moscow 123423, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037717009846; Government Gazette Number 14188237 [UKRAINE-EO13660].

99. NOVOROSSIYA PARTY (a.k.a. NEW RUSSIA PARTY), Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

100. NPV ENGINEERING OPEN JOINT STOCK COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO ENPIVI INZHINIRING; a.k.a. AO ENPIVI INZHINIRING; a.k.a. ENPIVI INZHINIRING, AO; a.k.a. NPV ENGINEERING JOINT STOCK COMPANY; a.k.a. OJSC NPV ENGINEERING), 5, per. Strochenovski B., Moscow 115054, Russia; PER. Strochenovskii B. D. 5, Moscow 115054, Russia; Website www.npve.narod.ru; Email Address npw@npv.su; Secondary sanctions risk: Ukraine-

/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 106774653683; Tax ID No. 7707587805; Government Gazette Number 95533058 [UKRAINE-EO13662] (Linked To: ROTENBERG, Igor Arkadyevich).

101. OAO 'DOLGOPRUDNY RESEARCH PRODUCTION ENTERPRISE' (a.k.a. DOLGOPRUDNENSKOYE NPP OAO; a.k.a. DOLGOPRUDNY; a.k.a. DOLGOPRUDNY RESEARCH PRODUCTION ENTERPRISE; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO DOIGOPRUDNENSKOE NAUCHNO PROIZVODSTVENNOE PREDPRIYATIE), 1 Pl. Sobina, Dolgoprudny, Moskovskaya obl. 141700, Russia; Proshchad Sobina 1, Dolgoprudny 141700, Russia; Email Address dnpp@orc.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025001202544; Tax ID No. 5008000322; Government Gazette Number 07504318 [UKRAINE-EO13661].

102. OAO SHIP REPAIR CENTER 'ZVEZDOCHKA' (a.k.a. 'ZVEZDOCHKA' SHIPYARD; a.k.a. AO SHIP REPAIR CENTER 'ZVEZDOCHKA'; a.k.a. JOINT STOCK COMPANY SHIP REPAIR CENTER 'ZVEZDOCHKA'; a.k.a. SHIP REPAIR CENTER ZVEZDOCHKA), 12, proyezd Mashinostroiteley, Severodvinsk, Arkhangelskaya Oblast 164509, Russia; 13 Geroyev Sevastopolya Street, Sevastopol, Crimea 99001, Ukraine; Website www.star.ru; alt. Website http://starsmz.ru/; alt. Website http://sevmorzavod.com/; Email Address info@star.ru; alt. Email Address star_sev@mail.ru; alt. Email Address office@smp.com.ua; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1082902002677 (Russia); Tax ID No. 2902060361 (Russia) [UKRAINE-EO13685].

103. OAO 'URANIS-RADIOSISTEMY' (a.k.a. OJSC 'URANIS RADIO SYSTEMS'; a.k.a. OJSC URANIS-RADIOSISTEMY; a.k.a. URANIS-RADIOSISTEMY OAO), 33 G, Vakulenchuk Street, Sevastopol, Crimea 99053, Ukraine; Website www.uranis.net; Email Address uranis@uranis.net; alt. Email Address info@uranis.net; alt. Email Address vlad_k@uranis.net; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149204003233; Tax ID No. 9201001120 [UKRAINE-EO13685].

104. OAO VOLGOGRADNEFTEMASH (f.k.a. DOCHERNEE AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA VOLGOGRADNEFTEMASH ROSSIISKOGO AKTSIONERNOGO OBSHCHESTVA GAZPROM; a.k.a. JSC VOLGOGRADNEFTEMASH; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VOLGOGRADNEFTEMASH (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ВОЛГОГРАДНЕФТЕМАШ)), 45 Ulitsa

Elektrolesovskaya, Volgograd, Volgogradskaya Oblast 400011, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] (Linked To: STROYGAZMONTAZH).

105. OBORONLOGISTIKA, OOO (a.k.a. OBORONLOGISTICS LIMITED LIABILITY COMPANY; a.k.a. OBORONLOGISTICS LLC; a.k.a. OBORONLOGISTIKA LLC; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'OBORONLOGISTIKA'), d. 18 str. 3 prospekt Komsomolski, Moscow 119021, Russia; ul. Goncharnaya, house 28, building 2, Moscow 115172, Russia; Website Oboronlogistika.ru; Email Address v.boyko@oboronservice.ru; alt. Email Address Info@oboronlogistika.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746641572 (Russia); Tax ID No. 7718857267 (Russia); Government Gazette Number 30167631 (Russia) [UKRAINE-EO13685].

106. OJSC SOVFRACHT (a.k.a. PJSC 'SOVFRACHT'; a.k.a. SOVFRACHT JSC; a.k.a. SOVFRAKHT), Rakhmanovskiy lane, 4, bld. 1, Morskoy House, Moscow 127994, Russia; Email Address general@sovfracht.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

107. OOO ALKON (a.k.a. "LIMITED LIABILITY COMPANY ALKON"), Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 07 Jul 2006; Tax ID No. 7703599373 (Russia) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: SHCHERBAKOV, Kirill Konstantinovich).

108. OOO 'DSK' (a.k.a. OOO 'DOROZHNAYA STROITELNAYA KOMPANIA'), Stroitelnaya Street, 34, village of Kesova Gora, Tver Oblast 171470, Russia; Website http://dorstroycom.ru; Email Address dsk@dorstroycom.ru; alt. Email Address secretar@dorstroycom.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1036906000922 (Russia) [UKRAINE-EO13685].

109. OOO SHIPYARD 'ZALIV' (f.k.a. AO SHIPYARD 'ZALIV'; f.k.a. JSC SHIPYARD 'ZALIV'; f.k.a. JSC ZALIV SHIPYARD; a.k.a. LLC SHIPYARD 'ZALIV'; f.k.a. OJSC ZALIV SHIPYARD; a.k.a. ZALIV SHIPYARD LLC), 4 Tankistov Street, Kerch, Crimea 98310, Ukraine; Website http://www.zalivkerch.com/; alt. Website http://www.zaliv.com/; Email Address zaliv@zalivkerch.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

110. OOO 'STG-EKO' (a.k.a. 'STG-EKO' LLC), Street Zastavskaya Building 22, Part A, Saint Petersburg 196084, Russia; Website http://www.stg-eco.ru/; Email Address info@stg-eco.ru; alt. Email Address info.rb@stg-eco.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097847009215 (Russia); Tax ID No. 7816458415 (Russia) [UKRAINE-EO13685].

111. OOO YUNIDZHET (Cyrillic: ООО ЮНИДЖЕТ) (a.k.a. UNIJET; a.k.a. "UNIJET COMPANY LIMITED"), Moscow, Russia; Website unijet.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 10 Dec 2009; Tax ID No. 7703711949 (Russia) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

112. OPEN JOINT STOCK COMPANY "KONTSERN IZHMASH" (a.k.a. OJSC KONTSERN IZHMASH), 3 Deryabin Proezd, Izhevsk, Udmurt Republic 426006, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1021801434380 [UKRAINE-EO13661].

113. OPEN JOINT STOCK COMPANY COMMERCIAL BANK VERKHNEVOLZHSKY (a.k.a. COMMERCIAL JOINT-STOCK BANK VERHNEVOLGSKY; a.k.a. OAO KB VERKHNEVOLZHSKIY; a.k.a. OJSC CB VERKHNEVOLZHSKY; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KOMMERCHESKIY BANK VERKHNEVOLZHSKIY; a.k.a. PUBLIC COMMERCIAL JOINT-STOCK BANK VERHNEVOLZHSKY), Ulitsa Bratyev Orlovykh 1a, Rybinsk, Yaroslavskaya Oblast 152903, Russia; Ulitsa Suvorova 39A, Sevastopol, Crimea 299011, Ukraine; Pereulok Pionerskiy 5, Simferopol, Crimea 295011, Ukraine; SWIFT/BIC VECARU21; alt. SWIFT/BIC VVBKRU2Y; Website www.vvbank.ru; Email Address vbank@yaroslavl.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027600000185 (Russia) [UKRAINE-EO13685].

114. OPEN JOINT STOCK COMPANY KRASNODAR REGIONAL INVESTMENT BANK (a.k.a. OAO KRAYINVESTBANK (Cyrillic: ОАО КРАЙИНВЕСТБАНК); a.k.a. OJSC KRAYINVESTBANK; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KRASNODARSKIY KRAEVOY INVESTITSIONNIY BANK (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО КРАСНОДАРСКИЙ КРАЕВОЙ ИНВЕСТИЦИОННЫЙ БАНК)), Ulitsa Mira 34, Krasnodar 350063, Russia; Ulitsa Bolshaya Morskaya 23, Sevastopol, Crimea 299011, Ukraine; Ulitsa Dolgorukovskaya/Zhukovskogo/A. Nevskogo 1/1/6, Simferopol, Crimea 295000,

Ukraine; SWIFT/BIC KRRIRU22; Website www.kibank.ru; Email Address mail@kibank.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022300000029 (Russia); All offices worldwide [UKRAINE-EO13685].

115. OPLOT, Donetsk, Ukraine; Kharkiv, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

116. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VNESHNEEKONOMICHESKOE OBEDINENIE TEKHNOPROMEKSPORT (a.k.a. JOINT STOCK COMPANY FOREIGN ECONOMIC ASSOCIATION TECHNOPROMEXPORT; a.k.a. JOINT STOCK COMPANY FOREIGN ECONOMIC ASSOCIATION TEKHNOPROMEXPORT; a.k.a. JSC TEKHNOPROMEXPORT; a.k.a. JSC VO TEKHNOPROMEXPORT; a.k.a. OJSC TECHNOPROMEXPORT; a.k.a. OPEN JOINT STOCK COMPANY FOREIGN ECONOMIC ASSOCIATION TEKHNOPROMEXPORT; a.k.a. VO TEKHNOPROMEKSPORT, OAO; a.k.a. "JSC TPE"), d. 15 str. 2 ul. Novy Arbat, Moscow 119019, Russia; Email Address inform@tpe.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1067746244026 (Russia); Tax ID No. 7705713236 (Russia); Government Gazette Number 02839043 (Russia) [UKRAINE-EO13685].

117. OY LANGVIK CAPITAL LTD, Tanskarlantie 9, Jorvas 02420, Finland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; National ID No. 19607726 [UKRAINE-EO13661].

118. PAO MOSOBLBANK (a.k.a. AKB MOSOBLBANK OAO; a.k.a. AKTSIONERNY KOMMERCHESKI BANK MOSKOVSKI OBLASTNOI BANK OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. PUBLIC JOINT STOCK COMPANY MOSCOW REGIONAL BANK), Ulitsa Semenovskaya B, D. 32, Str. 1, Moscow 107023, Russia; SWIFT/BIC MOBKRUMM; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] (Linked To: SMP BANK).

119. PAO ZVEZDA (Cyrillic: ПАО ЗВЕЗДА) (a.k.a. PJSC ZVEZDA; a.k.a. PUBLIC JOINT STOCK COMPANY ZVEZDA; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO ZVEZDA (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ЗВЕЗДА)), 123 Babushkina Street, St. Petersburg 192012, Russia; Website www.zvezda.spb.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7811038760 (Russia); Registration Number 1037825005085 (Russia) [UKRAINE-EO13662].

120. PJSC MOSTOTREST (a.k.a. MOSTOTREST; a.k.a. MOSTOTREST, PAO; a.k.a. OPEN JOINT STOCK COMPANY 'MOSTOTREST'; a.k.a. PUBLIC JOINT STOCK COMPANY MOSTOTREST), 6 Barklaya str., bld. 5, Moscow 121087, Russia; d. 6 str. 5, ul. Barklaya, Moscow 121087, Russia; Website www.mostro.ru; Email Address pressa@mostro.ru; MICEX Code MSTT; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739167246 (Russia); Tax ID No. 7701045732 (Russia); Identification Number ISIN: RU0009177331; Government Gazette Number 01386148 (Russia) [UKRAINE-EO13685].

121. PJSC POWER MACHINES (a.k.a. OPEN JOINT STOCK COMPANY POWER MACHINES - ZTL, LMZ, ELECTROSILA, ENERGOMACHEXPORT; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO SILOVYE MASHINY - ZTL, LMZ, ELEKTROSILA, ENERGOMASHEKSPORT; a.k.a. SILOVYE MASHINY, PAO), 3A Vatutina St., St. Petersburg 195009, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700004012 (Russia) [UKRAINE-EO13685].

122. PRIVATE JOINT-STOCK COMPANY MAKO HOLDING (a.k.a. MAKO HOLDING), Bohdan Khmelnytsky Avenue, Building 102, Voroshilovsky District, Donetsk, Donetsk Oblast 83015, Ukraine; Website http://mako.ua/; Email Address a.kyzura@mako-holding.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Government Gazette Number 34436105 (Ukraine) [UKRAINE-EO13660] (Linked To: YANUKOVYCH, Oleksandr Viktorovych).

123. PRIVATE MILITARY COMPANY 'WAGNER' (a.k.a. CHASTNAYA VOENNAYA KOMPANIYA 'VAGNER'; a.k.a. CHVK VAGNER; a.k.a. PMC WAGNER), Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

124. PROFAKTOR, TOV (a.k.a. PROFAKTOR, LLC), Bud, 22/28, vul. Dzerzhynskogo, Makiivka 86100, Ukraine; Makeevka str., Donetsk Region 86157, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Government Gazette Number 32084605 [UKRAINE-EO13660].

125. RENOVA GROUP (a.k.a. JOINT-STOCK COMPANY RENOVA GROUP OF COMPANIES; a.k.a. JSC RENOVA GROUP OF COMPANIES), V, 28 Balaklavskiy Prospekt, Moscow 117452, Russia; 40, Malaya Ordynka, Moscow 115184, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047796880548; Tax ID No. 7727526670;

Government Gazette Number 772701001 [UKRAINE-EO13662] (Linked To: VEKSELBERG, Viktor Feliksovich).

126. RESORT NIZHNYAYA OREANDA (f.k.a. FEDERALNOE GOSUDARSTVENNOE BYUDZHETNOE UCHREZHDENIE SANATORI NIZHNYAYA OREANDA UPRAVLENIYA; a.k.a. FEDERALNOE GOSUDARSTVENNOE BYUDZHETNOE UCHREZHDENIE SANATORI NIZHNYAYA OREANDA UPRAVLENIYA DELAMI PREZIDENTA ROSSISKOI FE; a.k.a. FGBU SANATORI NIZHNYAYA OREANDA; a.k.a. SANATORIUM NIZHNYAYA OREANDA), Pgt Oreanda, Dom 12, Yalta, Crimea 298658, Ukraine; Resort Nizhnyaya Oreanda, Oreanda, Yalta 08655, Crimea; Oreanda - 12, Yalta 298658, Crimea; Website http://www.oreanda.biz; Email Address info@oreanda.biz; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1149102054221; Tax ID No. 9103006321; Government Gazette Number 00705605 [UKRAINE-EO13685].

127. RIVIERA SUNRISE RESORT & SPA (a.k.a. RIVIERA SUNRISE RESORT AND SPA), Lenin St. 2, Alushta, Crimea 29850, Ukraine; Email Address info.alushta@rivierasunrise.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

128. RUSSIAN NATIONAL COMMERCIAL BANK (a.k.a. RNKB OAO; a.k.a. ROSSISKI NATSIONALNY KOMMERCHESKI BANK OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. "RNCB"), d. 9 korp. 5 ul. Krasnoproletarskaya, Moscow 127030, Russia; SWIFT/BIC RNCORUMM; Website http://www.rncb.ru; Email Address rncb@rncb.ru; BIK (RU) 044525607; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700381290 (Russia); Tax ID No. 7701105460 (Russia); Government Gazette Number 09610705 (Russia) [UKRAINE-EO13685].

129. SAKHATRANS LLC (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU SAKHA (YAKUTSKAYA) TRANSPORTNAYA KOMPANIYA; a.k.a. SAKHATRANS OOO), 14 ul. Molodezhnaya Rabochi Pos. Vanino, 682860 Vaninski, Raion Khabarovski Krai, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

130. SALVATION COMMITTEE OF UKRAINE (a.k.a. COMMITTEE FOR THE RESCUE OF UKRAINE; a.k.a. SAVIOR OF UKRAINE COMMITTEE; a.k.a. UKRAINE SALVATION COMMITTEE), Russia; Website http://comitet.su/about/; Email Address comitet@comitet.su; alt. Email Address komitet_2015@yahoo.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR

589.201 and/or 589.209 [UKRAINE-EO13660] (Linked To: AZAROV, Mykola Yanovych).

131. SET PETROCHEMICALS OY, Ukonvaaja 2 A, Espoo 02130, Finland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

132. SGM MOST OOO (f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU SGM MOST; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'SGM-MOST'; a.k.a. SGM-BRIDGE; a.k.a. SGM-MOST LLC), d. 10 korp. 3 ul. Neverovskogo, Moscow 121170, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1157746088170 (Russia); Tax ID No. 7730018980 (Russia); Government Gazette Number 29170220 (Russia) [UKRAINE-EO13685].

133. SHEN YANG JING CHENG MACHINERY IMP&EXP. CO., LIMITED (Chinese Traditional: 安營集團有限公司) (a.k.a. SHEN YANG JING CHENG MACHINERY IMPANDEXP. CO., LIMITED), Tsim Sha Tsui, Hong Kong; Surat Thani 84320, Thailand; Beijing, China; Wan Chai, Hong Kong; Causeway Bay, Hong Kong; Central, Hong Kong; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Identification Number 1328682 (Hong Kong) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

134. SHINE DRAGON GROUP LIMITED (Chinese Traditional: 尚龍集團有限公司), Central, Hong Kong; Surat Thani 84320, Thailand; Tsim Sha Tsui, Kowloon, Hong Kong; Causeway Bay, Hong Kong; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Identification Number 1329358 (Hong Kong) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

135. SMP BANK (a.k.a. AKTSIONERNOYE OBSHCHESTVO BANK SEVERNY MORSKOY PUT (Cyrillic: АКЦИОНЕРНОЕ ОБЩЕСТВО БАНК СЕВЕРНЫЙ МОРСКОЙ ПУТЬ); a.k.a. AO SMP BANK (Cyrillic: АО СМП БАНК); a.k.a. SMP BANK OPEN JOINT STOCK COMPANY; a.k.a. SMP BANK, AO), d. 71 k. 11, ul. Sadovnicheskaya Street, Moscow 115035, Russia; SWIFT/BIC SMBKRUMM; Website www.smpbank.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Tax ID No. 7750005482 (Russia); Government Gazette Number

56657657 (Russia); Registration Number 1097711000078 (Russia) [UKRAINE-EO13661] [RUSSIA-EO14024].

136. SMT-K (a.k.a. KRYM SMT OOO LLC; a.k.a. LLC CMT CRIMEA; a.k.a. OOO 'CMT-K'; a.k.a. OOO 'SMT-K'; a.k.a. SMT-CRIMEA; a.k.a. SOVMORTRANS-CRIMEA), ul. Zoi Zhiltsovoy, d. 15, office 51, Simferopol, Crimea, Ukraine; Vokzalnoye Highway 140, Kerch, Ukraine; Anapskoye Highway 1, Temryuk, Russia; Email Address info@smt-k.ru; alt. Email Address info@parom-k.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

137. SOLID LTD (a.k.a. OOO SOLID), ul Mira 4, Novorossiysk, Krasnodarskiy kray 630024, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

138. SOUTH-EAST MOVEMENT (a.k.a. SOUTHEAST MOVEMENT; a.k.a. YUGO-VOSTOK MOVEMENT), Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

139. SOUTHEAST TRADING OY (a.k.a. SOUTHEAST TRADING LTD), Bucharest, Romania; St. Petersburg, Russia; Espoo, Finland; Kannelkatu 8, Lappeenranta 53100, Finland; PL 148, Lappeenranta 53101, Finland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

140. SOUTHPORT MANAGEMENT SERVICES LIMITED, De Castro Street 24, Akara Building, Wickhams Cay 1, Road Town, Tortola, Virgin Islands, British; Nicosia, Cyprus; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

141. SOVFRACHT MANAGING COMPANY LLC (a.k.a. LLC SOVFRACHT MANAGEMENT COMPANY; a.k.a. MANAGEMENT COMPANY SOVFRAKHT LTD; a.k.a. SOVFRACHT MANAGEMENT COMPANY; a.k.a. SOVFRACHT MANAGEMENT COMPANY LLC), Dobroslobodskaya, 3 BC Basmanov, Moscow 105066, Russia; Email Address general@sovfracht.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

142. SOVFRACHT-SOVMORTRANS GROUP (a.k.a. SOVFRACHT-SOVMORTRANS; a.k.a. SOVFRAKHT-SOVMORTRANS), Rakhmanovskiy lane,

4, bld. 1, Morskoy House, Moscow 127994, Russia; Dobroslobodskaya, 3 BC Basmanov, Moscow 105066, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

143. STATE BANK LUHANSK PEOPLE'S REPUBLIC, Str. T. G. Shevchenko, d. 1, Luhansk 91000, Ukraine; Website www.gosbank.su; Email Address bank@gosbank.su; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660].

144. STATE CONCERN NATIONAL PRODUCTION AND AGRICULTURAL ASSOCIATION MASSANDRA (a.k.a. MASSANDRA NATIONAL INDUSTRIAL AGRARIAN ASSOCIATON OF WINE INDUSTRY; a.k.a. MASSANDRA STATE CONCERN, NATIONAL PRODUCTION AND AGRARIAN UNION, OJSC; a.k.a. NACIONALNOYE PROIZ-VODSTVENNO AGRARNOYE OBYEDINENYE MASSANDRA; a.k.a. STATE CONCERN NATIONAL ASSOCIATION OF PRODUCERS MASSANDRA), 6, str. Mira, Massandra, Yalta 98600, Ukraine; 6, Mira str., Massandra, Yalta, Crimea 98650, Ukraine; Mira str, h. 6, Massandra, Yalta, Crimea 98600, Ukraine; 6, Myra st., Massandra, Crimea 98650, Ukraine; Website http://www.massandra.net.ua/; Email Address impex@massandra.ua; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 00411890 (Ukraine) [UKRAINE-EO13685].

145. STATE ENTERPRISE EVPATORIA SEA COMMERCIAL PORT (a.k.a. PORT OF EVPATORIA; a.k.a. PORT OF YEVPATORIA; a.k.a. SEAPORT OF YEVPATORIYA; a.k.a. YEVPATORIA COMMERCIAL SEAPORT; a.k.a. YEVPATORIA MERCHANT SEA PORT; a.k.a. YEVPATORIA SEA PORT; a.k.a. YEVPATORIYA COMMERCIAL SEA PORT; a.k.a. YEVPATORIYA SEA PORT), Mariners Square 1, Evpatoria, Crimea 97416, Ukraine; 1, Moryakov Sq, Yevpatoriya, Crimea 97408, Ukraine; 1 Moryakov Sq., Yevpatoria, Crimea 97416, Ukraine; Ukraine; 1 Moryakov Sq, Yevpatoriya, Crimea 97416, Ukraine; alt. Email Address lada1@seavenue.net; alt. Email Address zamves@emtp.com.ua; UN/LOCODE UA ZKA; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01125583 (Ukraine) [UKRAINE-EO13685].

146. STATE ENTERPRISE FACTORY OF SPARKLING WINE NOVY SVET (a.k.a. DERZHAVNE PIDPRYEMSTVO ZAVOD SHAMPANSKYKH VYN NOVY SVIT; a.k.a. GOSUDARSTVENOYE PREDPRIYATIYE ZAVOD SHAMPANSKYKH VIN NOVY SVET; a.k.a. NOVY SVET WINERY; a.k.a. NOVY SVET WINERY STATE ENTERPRISE; a.k.a. STATE ENTERPRISE

FACTORY OF SPARKLING WINES NEW WORLD; a.k.a. ZAVOD SHAMPANSKYKH VYN NOVY SVIT, DP), 1 Shaliapin Street, Novy Svet Village, Sudak, Crimea 98032, Ukraine; Bud. 1 vul. Shalyapina Smt, Novy Svit, Sudak, Crimea 98032, Ukraine; 1 Shalyapina str. Novy Svet, Sudak 98032, Ukraine; Website http://nsvet.com.ua/en/contacts; Email Address boss@nsvet.com.ua; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 00412665 (Ukraine) [UKRAINE-EO13685].

147. STATE ENTERPRISE FEODOSIA SEA TRADING PORT (a.k.a. PORT OF FEODOSIA; a.k.a. SEAPORT OF FEODOSIYA; a.k.a. THEODOSIA COMMERCIAL SEAPORT; a.k.a. THEODOSIA MERCHANT SEA PORT; a.k.a. THEODOSIA SEA PORT), 14 Gorky Street, Theodosia 98100, Ukraine; 14, Gorky Str., Feodosiya, Crimea 98100, Ukraine; Gorky Street 11, Feodosia, Crimea 98100, Ukraine; Website www.ukrport.org.ua; Email Address theodosia@port.kafa.crimea.ua; UN/LOCODE UA FEO; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01125577 (Russia) [UKRAINE-EO13685].

148. STATE ENTERPRISE KERCH SEA COMMERCIAL PORT (a.k.a. KERCH COMMERCIAL SEAPORT; a.k.a. KERCH MERCHANT SEA PORT; a.k.a. KERCH SEA PORT; a.k.a. PORT OF KERCH; a.k.a. SEAPORT OF KERCH; a.k.a. STATE ENTERPRISE KERCH COMMERCIAL SEA PORT), Kirova Street 28, Kerch, Crimea 98312, Ukraine; 28 Kirova Str., Kerch, Crimea 98312, Ukraine; 28, Kirov Str., Kerch, Crimea 98312, Ukraine; Ul. Kirov, 28, Kerch, Crimea 98312, Ukraine; ul Kirova 28, Kerch 98312, Ukraine; Website http://www.kerchport.com; alt. Website http://www.ukrport.org.ua; Email Address kmtp@kerch.sf.ukrtel.net; alt. Email Address referent.port@mail.ru; alt. Email Address kmtp@trport.kerch.crimea.com; UN/LOCODE UA KEH; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01125554 [UKRAINE-EO13685].

149. STATE ENTERPRISE MAGARACH OF THE NATIONAL INSTITUTE OF WINE (a.k.a. AGROFIRMA MAGARACH NATSIONALNOGO INSTYTUTU VYNOGRADU I VYNA MAGARACH, DP; a.k.a. DERZHAVNE PIDPRYEMSTVO AGROFIRMA MAGARACH NATSIONALNOGO INSTYTUTU VYNOGRADU I VYNA MAGARACH; a.k.a. GOSUDARSTVENOYE PREDPRIYATIYE AGRO-FIRMA MAGARACH NACIONALNOGO INSTITUTA VINOGRADA I VINA MAGARACH; a.k.a. MAGARACH AGRICULTURAL COMPANY OF NATIONAL INSTITUTE OF WINE AND GRAPES MAGARACH; a.k.a. STATE ENTERPRISE AGRICULTURAL COMPANY MAGARACH NATIONAL INSTITUTE OF VINE

AND WINE MAGARACH), Bud. 9 vul. Chapaeva, S.Viline, Bakhchysaraisky R-N, Crimea 98433, Ukraine; 9 Chapayeva str., Vilino, Bakhchisaray Region, Crimea 98433, Ukraine; 9 Chapayeva str., Vilino, Bakhchisarayski district 98433, Ukraine; 9, Chapaeva Str., Vilino, Bakhchisaray Region, Crimea 98433, Ukraine; Website http://magarach-institut.ru/; Email Address magar@ukr.net; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 11231070006000476 (Ukraine); Government Gazette Number 31332064 (Ukraine) [UKRAINE-EO13685].

150. STATE ENTERPRISE SEVASTOPOL SEA TRADING PORT (a.k.a. PORT OF SEVASTOPOL; a.k.a. SEAPORT OF SEVASTOPOL; a.k.a. SEVASTOPOL COMMERCIAL SEAPORT; a.k.a. SEVASTOPOL MERCHANT SEA PORT; a.k.a. SEVASTOPOL SEA PORT; a.k.a. SEVASTOPOL SEA TRADE PORT; a.k.a. STATE ENTERPRISE SEVASTOPOL COMMERCIAL SEAPORT), 3 Place Nakhimova, Sevastopol 99011, Ukraine; 5, Nakhimova square, Sevastopol, Crimea 99011, Ukraine; Nahimova Square 5, Sevastopol, Crimea 99011, Ukraine; Email Address Sevport@stel.sebastopol.ua; alt. Email Address sevampu@ukr.net; alt. Email Address mail@morport.sebastopol.ua; UN/LOCODE UA SVP; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01125548 (Ukraine) [UKRAINE-EO13685].

151. STATE ENTERPRISE UNIVERSAL-AVIA (a.k.a. CRIMEAN STATE AVIATION ENTERPRISE UNIVERSAL-AVIA; a.k.a. GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE RESPUBLIKI KRYM UNIVERSAL; a.k.a. GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE RESPUBLIKI KRYM UNIVERSAL-AVIA; a.k.a. GOSUDARSTVENOYE PREDPRIYATIYE UNIVERSAL-AVIA; a.k.a. UNIVERSAL-AVIA, CRIMEA STATE AVIATION ENTERPRISE; a.k.a. UNIVERSAL-AVIA, GUP RK), 5, Aeroflotskaya Street, Simferopol, Crimea 95024, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1159102026742; Tax ID No. 9102159300; Government Gazette Number 00830954 [UKRAINE-EO13685].

152. STATE ENTERPRISE YALTA SEA TRADING PORT (a.k.a. PORT OF YALTA; a.k.a. SEAPORT OF YALTA; a.k.a. YALTA COMMERCIAL SEAPORT; a.k.a. YALTA MERCHANT SEA PORT; a.k.a. YALTA SEA PORT), Roosevelt Street 3, Yalta, Crimea 98600, Ukraine; 5, Roosevelt Str., Yalta, Crimea 98600, Ukraine; 5 Roosevelt Street, Yalta, Crimea 98600, Ukraine; Website yaltaport.com.ua; Email Address yasko@ukrpost.ua; alt. Email Address yasco@mail.ylt.crimea.com; UN/LOCODE UA YAL; Secondary sanctions risk: Ukraine-/Russia-Related

Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 01125591 (Ukraine) [UKRAINE-EO13685].

153. STATE SHIPPING COMPANY KERCH SEA FERRY (a.k.a. STATE FERRY ENTERPRISE KERCH FERRY), Tselimbernaya Street 16, Kerch, Crimea 98307, Ukraine; 16 Tselibernaya Street, Kerch, Crimea 98307, Ukraine; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 14333981 (Ukraine) [UKRAINE-EO13685].

154. STROYGAZMONTAZH (a.k.a. LIMITED LIABILITY COMPANY STROYGAZMONTAZH; a.k.a. STROYGAZMONTAZH CORPORATION; a.k.a. "SGM"), 53 prospekt Vernadskogo, Moscow 119415, Russia; Website www.ooosgm.com; alt. Website www.ooosgm.ru; Email Address info@ooosgm.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

155. STROYTRANSGAZ GROUP (a.k.a. STROYTRANSGAZ; a.k.a. "STG GROUP"), 3 Begovaya Street, Building #1, Moscow 125284, Russia; Website www.stroytransgaz.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

156. STROYTRANSGAZ HOLDING (a.k.a. STG HOLDING LIMITED; a.k.a. STG HOLDINGS LIMITED; a.k.a. STROYTRANSGAZ HOLDING LIMITED; a.k.a. "STGH"), 33 Stasinou Street, Office 2 2003, Nicosia Strovolos, Cyprus; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

157. STROYTRANSGAZ LLC (a.k.a. OOO STROYTRANSGAZ), House 65, Novocheremushkinskaya, Moscow 117418, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

158. STROYTRANSGAZ OJSC (a.k.a. OAO STROYTRANSGAZ), House 58, Novocheremushkinskaya St., Moscow 117418, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

159. STROYTRANSGAZ-M LLC, 26th Meeting of the Communist Party Street, House 2V, Novy Urengoy, Tyumenskaya Oblast, Yamalo-Nenetsky Autonomous Region 629305, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

160. SUE RC 'FEODOSIA OPTICAL PLANT' (a.k.a. FEODOSIA STATE OPTICAL PLANT; a.k.a. STATE OPTICAL PLANT – FEODOSIA), Feodosia State Optical Plant, 11 Moskovskaya Street, Feodosia, Crimea 98100, Ukraine; Website http://www.fkoz.feodosia.com.ua/; Email Address optic_plant_sbut@bk.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

161. TAATTA, AO (a.k.a. BANK TAATTA; a.k.a. BANK TAATTA AKTSIONERNOE OBSHCHESTVO; a.k.a. JOINT STOCK COMPANY TAATTA BANK; a.k.a. JSC TAATTA BANK), 36 ul. Chepalova, Yakutsk, Sakha (Yakutiya) Resp. 677018, Russia; Bld. 41, Bolshaya Morskaya Street, Sevastopol, Crimea 299011, Ukraine; Bld. 66, Kirova Avenue, Simferopol, Crimea, Ukraine; Bld. 36, Kulakova Street, Sevastopol, Crimea, Ukraine; alt. SWIFT/BIC TAAARU8Y; BIK (RU) 049805709; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021400000380 (Russia); Tax ID No. 1435126628 (Russia); Government Gazette Number 09287233 (Russia); License 1249 (Russia) [UKRAINE-EO13685].

162. THE FOUNDATION FOR NATIONAL VALUES PROTECTION (Cyrillic: ФОНДА ЗАЩИТЫ НАЦИОНАЛЬНЫХ ЦЕННОСТЕЙ) (a.k.a. "FZNC"), Moscow, Russia; Website fznc.world; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: MALKEVICH, Alexander Aleksandrovich; Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

163. THE LIMITED LIABILITY COMPANY INVESTMENT COMPANY ABROS (a.k.a. LLC IC ABROS), 2 Liter a Pl. Rastrelli, St. Petersburg 191124, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Government Gazette Number 72426791; Telephone: 7812 3358979 [UKRAINE-EO13661].

164. TRANS LOGISTIK, OOO (Cyrillic: ООО ТРАНС ЛОГИСТИК) (a.k.a. "TRANS LOGISTIC"), d. 37 litera A etazh, pom., ofis 2/66/215, prospekt Stachek, St. Petersburg 198097, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7805719070 (Russia); Government Gazette Number 20567335 (Russia); Registration Number 1177847397848 (Russia) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

165. OOO TRANSOIL (Cyrillic: ООО ТРАНСОЙЛ) (a.k.a. TRANSOIL SNG LIMITED COMPANY), Petrogradskaya Nab 18 A, Saint Petersburg, Russia; 31/1 Mayakovskogo, Saint Petersburg 191014, Russia; Secondary sanctions risk: Ukraine-

/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7811139006 (Russia); Registration Number 1037825043200 (Russia) [UKRAINE-EO13661] [RUSSIA-EO14024] (Linked To: TIMCHENKO, Gennady Nikolayevich).

166. TRANSPETROCHART CO LTD, prospekt Engelsa 30, St Petersburg 194156, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

167. TRANSSERVICE LLC (a.k.a. LIMITED LIABILITY COMPANY TRANSSERVIS; a.k.a. OBSCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU TRANSSERVIS (Cyrillic: ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ ТРАНССЕРВИС); a.k.a. OOO TRANSSERVIS (Cyrillic: ООО ТРАНССЕРВИС)), D. 35 Prospekt Gubkina, Omsk, Omskaya Oblast 664035, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] (Linked To: OOO TRANSOIL).

168. TSMRBANK, OOO (a.k.a. BANK 'CENTER FOR INTERNATIONAL SETTLEMENTS' LLC; a.k.a. BANK 'TSENTR MEZHDUNARODNYKH RASCHETOV' OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. LLC TSMRBANK), ul. Palikha, d. 10, Str. 7, Moscow 127055, Russia; Website www.nko-cmr.ru; Email Address cmr@cmrbank.ru; BIK (RU) 044525059; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1157700005759 (Russia); Tax ID No. 7750056670 (Russia); Government Gazette Number 45000256 (Russia) [UKRAINE-EO13660].

169. UGOLNYE TEKHNOLOGII, OOO (a.k.a. COAL TECHNOLOGIES; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU "UGOLNYE TEKHNOLOGII"), d. 25 ofis 13, 14, per. Avtomobilny, Rostov-on-Don, Rostovskaya Oblast 344038, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1146164002621 [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC; Linked To: LUHANSK PEOPLE'S REPUBLIC).

170. JOINT STOCK COMPANY UNITED SHIPBUILDING CORPORATION (a.k.a. JSC UNITED SHIPBUILDING CORPORATION; a.k.a. UNITED SHIPBUILDING CORPORATION (Cyrillic: ОБЪЕДИНЕННАЯ СУДОСТРОИТЕЛЬНАЯ КОРПОРАЦИЯ); a.k.a. "JSC USC"; a.k.a. "OCK"; a.k.a. "OSK AO"), Ul. Marat, 90, St. Petersburg 191119, Russia; 11 Bolshaya Tatarskaya Str. Bld. B, Moscow 115184, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31

CFR 589.201 and/or 589.209; Tax ID No. 7838395215 (Russia) [UKRAINE-EO13661] [RUSSIA-EO14024].

171. URALVAGONZAVOD (a.k.a. NAUCHNO-PROIZVODSTVENNAYA KORPORATSIYA URALVAGONZAVOD OAO; a.k.a. NPK URALVAGONZAVOD; a.k.a. NPK URALVAGONZAVOD OAO; a.k.a. OJSC RESEARCH AND PRODUCTION CORPORATION URALVAGONZAVOD; a.k.a. RESEARCH AND PRODUCTION CORPORATION URALVAGONZAVOD; a.k.a. RESEARCH AND PRODUCTION CORPORATION URALVAGONZAVOD OAO; a.k.a. URALVAGONZAVOD CORPORATION; a.k.a. "UVZ"), 28, Vostochnoye shosse, Nizhni Tagil, Sverdlovsk region 622007, Russia; 28 Vostochnoe shosse, Nizhni Tagil, Sverdlovskaya oblast 622007, Russia; 40, Bolshaya Yakimanka Street, Moscow 119049, Russia; Vistochnoye Shosse, 28, Nizhny Tagil 622007, Russia; Website http://www.uvz.ru/; alt. Website http://uralvagonzavod.com/; Email Address web@uvz.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

172. VAD, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO VAD; a.k.a. AO, VAD; a.k.a. CJSC VAD; a.k.a. JOINT STOCK COMPANY VAD; a.k.a. JSC VAD; a.k.a. ZAO VAD; a.k.a. "HIGH-QUALITY HIGHWAYS"), 133, ul. Chernyshevskogo, Vologda, Vologodskaya Obl 160019, Russia; 122 Grazhdanskiy Prospect, Suite 5, Liter A, St. Petersburg 195267, Russia; Website www.zaovad.com; Email Address office@zaovad.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037804006811 (Russia); Tax ID No. 7802059185 (Russia); Government Gazette Number 34390716 (Russia) [UKRAINE-EO13685].

173. OOO VOLGA GROUP (Cyrillic: ООО ВОЛГА ГРУП) (a.k.a. VOLGA GROUP HOLDING LIMITED LIABILITY COMPANY), Begovaya St., Dom 3, Str. 1, Moscow 12528, Russia; Timura Frunze, House 11, Building 1, floor 2, unit IV, room 2, Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7718989383 (Russia); Registration Number 1147746803049 (Russia) [UKRAINE-EO13661] [RUSSIA-EO14024].

174. VVB, PAO (f.k.a. COMMERCIAL JOINT-STOCK INCORPORATION BANK YAROSLAVICH; f.k.a. KOMMERCHESKI BANK YAROSLAVICH, PAO; a.k.a. PJSC BANK VVB; a.k.a. PUBLIC JOINT-STOCK COMPANY BANK VVB; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO BANK VVB; a.k.a. PUBLICHNOYE JOINT-STOCK COMPANY BANK VVB), 3A ul., 4-ya Bastionnaya, Sevastopol, Crimea 299011, Ukraine; Voronina, 10, Sevastopol, Crimea

299011, Ukraine; 39A Ul. Suvorova, Sevastopol, Crimea, Ukraine; 5 Per. Pionerskiy, Simferopol, Crimea, Ukraine; alt. SWIFT/BIC YARORU21; BIK (RU) 046711106; alt. BIK (RU) 043510133; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685].

175. WHITE SEAL HOLDINGS LIMITED, 115 Spyrou Kyprianou Avenue, Limassol 3077, Cyprus; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

176. 'WOLF' HOLDING OF SECURITY STRUCTURES (a.k.a. DEFENSE HOLDING STRUCTURE 'WOLF'; a.k.a. HOLDING SECURITY STRUCTURE WOLF; a.k.a. KHOLDING OKHRANNYKH STRUKTUR VOLK; a.k.a. WOLF HOLDING COMPANY), ul. Panferova d. 18, Moscow 119261, Russia; Nizhniye Mnevniki, 110, Moscow, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7736640919 (Russia) [UKRAINE-EO13660].

177. YAROSLAVSKY SHIPBUILDING PLANT (Cyrillic: ЯРОСЛАВСКИЙ СУДОСТРОИТЕЛЬНЫЙ ЗАВОД) (a.k.a. OJSC YAROSLAVSKY SHIPBUILDING PLANT; a.k.a. OJSC YAROSLAVSKY SHIPYARD; a.k.a. PJSC YAROSLAVSKY SHIPBUILDING PLANT (Cyrillic: ПАО ЯРОСЛАВСКИЙ СУДОСТРОИТЕЛЬНЫЙ ЗАВОД); a.k.a. YAROSLAVL SHIPYARD OPEN JOINT-STOCK COMPANY (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ЯРОСЛАВСКИЙ СУДОСТРОИТЕЛЬНЫЙ ЗАВОД)), 1, Korabelnaya Str., Yaroslavl 150006, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13662].

178. ZAO VNESHTORGSERVIS, 1 Geroyev Street, Tskhinval, South Ossetia, Georgia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660] (Linked To: DONETSK PEOPLE'S REPUBLIC; Linked To: LUHANSK PEOPLE'S REPUBLIC).

179. ZELENODOLSK SHIPYARD PLANT NAMED AFTER A.M. GORKY (a.k.a. JOINT STOCK COMPANY ZELENODOLSK PLANT NAMED AFTER A.M. GORKY (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ЗЕЛЕНОДОЛЬСКИЙ ЗАВОД ИМЕНИ А.М. ГОРЬКОГО); a.k.a. JSC ZELENODOLSK PLANT NAMED AFTER A.M. GORKY (Cyrillic: АО ЗЕЛЕНОДОЛЬСКИЙ ЗАВОД ИМЕНИ А.М. ГОРЬКОГО)), 5, Zavodskaya St., Zelenodolsk, Republic of Tatarstan 422546, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13662].

180. ZHE JIANG JIAYI SMALL COMMODITIES TRADE COMPANY LIMITED, Mong Kok, Hong Kong; Surat Thani 84320, Thailand; Jiaxing, Zhejiang Province, China; Tsim Sha Tsui, Kowloon, Hong Kong; Central, Hong Kong; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Identification Number 1328910 (Hong Kong) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

181. ROSOBORONEKSPORT OAO (a.k.a. OJSC ROSOBORONEXPORT; a.k.a. ROSOBORONEKSPORT OJSC; a.k.a. ROSOBORONEXPORT; a.k.a. ROSOBORONEXPORT JSC; a.k.a. RUSSIAN DEFENSE EXPORT ROSOBORONEXPORT), 27 Stromynka ul., Moscow 107076, Russia; Website www.roe.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746521452; Tax ID No. 7718852163; Government Gazette Number 56467052; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [SYRIA] [UKRAINE-EO13662] (Linked To: ROSTEC).

182. TNK TRADING INTERNATIONAL S.A., place du Lac 2, Geneve 1204, Switzerland; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; V.A.T. Number CHE-267.936.404 (Switzerland); Business Registration Number CH-660.0.559.011-2 (Switzerland); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [VENEZUELA-EO13850] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

183. ROSNEFT TRADING S.A., Rue Place du Lac 2, 1204, Geneva, Switzerland; Website www.rosneft.com; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. CHE-309.842.573 (Switzerland); Registration Number CH-660.0.257.011-8 (Switzerland); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662]

[VENEZUELA-EO13850] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

184. TRANS-FLOT JSC (a.k.a. JSC TRANS-FLOT), ul Ventseka 1/97, Samara 443099, Russia; Website www.trans-flot.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13685] (Linked To: OJSC SOVFRACHT).

185. GAZ GROUP, 88 Lenin Avenue, Nizhny Novgorod 603950, Russia; 15/1 Rochdelskaya Str., Moscow 123022, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich; Linked To: RUSSIAN MACHINES).

186. AIRFIX AVIATION OY, Tullimiehentie 4-6, Vantaa 01530, Finland; Chemin des Papillons 4, Geneva/Cointrin 1216, Switzerland; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661].

187. RUSSIAN MACHINES (a.k.a. RUSSKIE MASHINY), Ul. Rochdelskaya 15, 8, Moscow 123022, Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1112373000596; Tax ID No. 2373000582; Identification Number 37100386 [UKRAINE-EO13661] [UKRAINE-EO13662] (Linked To: DERIPASKA, Oleg Vladimirovich; Linked To: BASIC ELEMENT LIMITED).

188. UNITED WORLD INTERNATIONAL, Russia; Website www.unitedworldint.com; alt. Website www.uwidata.com; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: PRIGOZHIN, Yevgeniy Viktorovich).

189. GEOPOLITICA (Cyrillic: ГЕОПОЛИТИКА), Russia; Website Geopolitica.ru; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209 [UKRAINE-EO13660] (Linked To: DUGIN, Aleksandr).

190. AUCTION LIMITED LIABILITY COMPANY (a.k.a. AUKCION LIMITED LIABILITY COMPANY; a.k.a. AUKTSION OOO; a.k.a. LLC AUKCION; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU AUKTSION), d.14 shosse Entuziastov, Moscow 111024, Russia; Room 12, room IB, ground floor, 32 Leninsky Ave, Moscow, Russia; Website www.aukcion-sbrf.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk:

Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700256297 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

191. BANCO VTB AFRICA SA (a.k.a. VTB AFRICA), 22, Rua da Missao, Luanda, Angola; SWIFT/BIC VTBLAOLU; Website www.vtb.ao; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

192. BANK BELVEB OJSC (a.k.a. BANK BELVEB OPEN JOINT STOCK COMPANY; a.k.a. BELVESHECONOMBANK OAO; a.k.a. BELVNESHECONOMBANK OPEN JOINT STOCK COMPANY), 29 Pobeditelei ave., Minsk 220004, Belarus; Myasnikova, 32, Minsk 220050, Belarus; SWIFT/BIC BELBBY2X; Website bveb.by; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 23 Dec 1991; Target Type Financial Institution; Tax ID No. 7750004150 (Russia); Legal Entity Number 25340038P8SYW80B9W34 (Russia); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

193. BANK VTB KAZAKHSTAN JOINT STOCK COMPANY (a.k.a. BANK VTB KAZAKHSTAN JSC; a.k.a. JOINT STOCK COMPANY VTB BANK KAZAKHSTAN; a.k.a. SUBSIDIARY JSC BANK VTB KAZAKHSTAN), 28 Timiryazev Street, Almaty 050040, Kazakhstan; SWIFT/BIC VTBAKZKZ; Website http://en.vtb-bank.kz/; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

194. BM BANK PUBLIC JOINT STOCK COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO BM BANK; f.k.a. AKTSIONERNY KOMMERCHESKI BANK BANK MOSKVY OTKRYTOE AKTSIONERNOE OBSCHCHESTVO; f.k.a. BANK MOSKVY PAO; f.k.a. BANK OF MOSCOW; a.k.a. BM BANK AO; a.k.a. BM BANK JSC; f.k.a. JOINT STOCK COMMERCIAL BANK – BANK OF MOSCOW OPEN JOINT STOCK COMPANY; a.k.a. PAO BM BANK), Bld 3 8/15, Rozhdestvenka St., Moscow 107996, Russia; SWIFT/BIC MOSWRUMM; Website www.bm.ru; BIK (RU) 044525219; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Government Gazette Number 29292940 (Russia); Registration Number 1027700159497 (Russia); All offices worldwide; for more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

195. EXIMBANK OF RUSSIA JSC (a.k.a. AO ROSEKSIMBANK (Cyrillic: АО РОСЭКСИМБАНК); a.k.a. EXIMBANK OF RUSSIA; a.k.a. EXIMBANK OF RUSSIA ZAO; a.k.a. GOSUDARSTVENNY SPETSIALIZIROVANNY ROSSISKI EKSPORTNO-IMPORTNY BANK (ZAKRYTOE AKTSIONERNOE OBSHCHESTVO); a.k.a. ROSEKSIMBANK, ZAO; a.k.a. RUSSIAN EXPORT-IMPORT BANK; a.k.a. STATE SPECIALIZED RUSSIAN EXPORT-IMPORT BANK JOINT-STOCK COMPANY (Cyrillic: ГОСУДАРСТВЕННЫЙ СПЕЦИАЛИЗИРОВАННЫЙ РОССИЙСКИЙ ЭКСПОРТНО-ИМПОРТНЫЙ БАНК АКЦИОНЕРНОЕ ОБЩЕСТВО)), 12 Krasnopresnenskaya Embankments, Moscow 123610, Russia; SWIFT/BIC EXIRRUMM; Website eximbank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 24 May 1994; Target Type Financial Institution; Tax ID No. 7704001959 (Russia); Legal Entity Number 253400HA6URWT39X2982; Registration Number 1027739109133 (Russia); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR

DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

196. INSURANCE COMPANY SBERBANK INSURANCE LIMITED LIABILITY COMPANY (a.k.a. LLC INSURANCE COMPANY SBERBANK INSURANCE; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVAYA KOMPANIYA SBERBANK OBSHCHEE STRAKHOVANIE; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVAYA KOMPANIYA SBERBANK STRAKHOVANIE; a.k.a. SBERBANK INSURANCE COMPANY LTD; a.k.a. SBERBANK INSURANCE IC LLC; a.k.a. SBERBANK STRAHOVANIE OOO SK; a.k.a. SK SBERBANK STRAHOVANIE LLC; a.k.a. STRAKHOVAYA KOMPANIYA SBERBANK STRAKHOVANIE), 42 Bolshaya Yakimanka St., b. 1-2, office 209, Moscow 119049, Russia; 7 ul. Pavlovskaya, Moscow, Russia; 3 Poklonnaya Street, building 1, floor 1, office 3, Moscow 121170, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147746683479 (Russia); Tax ID No. 7706810747 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

197. JOINT STOCK COMMERCIAL BANK NOVIKOMBANK (Cyrillic: АКЦИОНЕРНЫЙ КОММЕРЧЕСКИЙ БАНК НОВИКОМБАНК АКЦИОНЕРНОЕ ОБЩЕСТВО) (a.k.a. AKTSIONERNY KOMMERCHESKI BANK NOVIKOMBANK AKTSIONERNOE OBSHCHESTVO; a.k.a. AO AKB NOVIKOMBANK (Cyrillic: АО АКБ НОВИКОМБАНК); a.k.a. JOINT STOCK COMMERCIAL BANK NOVIKOMBANK JOINT STOCK COMPANY; f.k.a. NOVIKOMBANK AO; a.k.a. NOVIKOMBANK JCSB), bld.1,Polyanka Bolshaya str. 50/1, Moscow 119180, Russia (Cyrillic: ул. Полянка Большая, д. 50/1, стр. 1, Москва 119180, Russia); SWIFT/BIC CNOVRUMM; Website http://www.novikom.ru; BIK (RU) 044583162; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 1993; Registration ID 1027739075891; Tax ID No. 7706196340;

Government Gazette Number 17541272; All offices worldwide. For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

198. JOINT STOCK COMPANY SBERBANK (a.k.a. AKTSIONERNE TOVARYSTVO SBERBANK; a.k.a. JSC SBERBANK; a.k.a. JSC SBERBANK OF RUSSIA; a.k.a. PUBLICHNE AKTSIONERNE TOVARYSTVO DOCHIRNII BANK SBERBANKU ROSII; f.k.a. SBERBANK OF RUSSIA SUBSIDIARY BANK PRIVATE JOINT STOCK COMPANY; a.k.a. SBERBANK OF RUSSIA SUBSIDIARY BANK PUBLIC JOINT STOCK COMPANY; a.k.a. SUBSIDIARY BANK SBERBANK OF RUSSIA PUBLIC JOINT STOCK COMPANY), 46 Volodymyrska street, Kyiv 01601, Ukraine; 46 Vladimirskaya St, Kyiv 01601, Ukraine; SWIFT/BIC SABRUAUK; Website www.sberbank.ua; alt. Website sbrf.com.ua; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 25959784 (Ukraine); Tax ID No. 259597826652 (Ukraine); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

199. JOINT STOCK COMPANY SBERBANK AUTOMATED TRADE SYSTEM (a.k.a. JOINT STOCK COMPANY SBERBANK-AUTOMATED SYSTEM FOR TRADING; a.k.a. JSC SBERBANK-AUTOMATED SYSTEM FOR TRADING; a.k.a. SBERBANK-AST JSC; a.k.a. SBERBANK-AST ZAO; a.k.a. SBERBANK-AUTOMATED TRADING SYSTEM CLOSED JOINT STOCK COMPANY; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO SBERBANK AVTOMATIZIROVANNAYA SISTEMA TORGOV), d. 24 str. 2 ul. Novoslobodskaya, Moscow 127055, Russia; 12 B. Savvinsky Lane, building 9, floor 1, office 1, room 1, Moscow 119435, Russia; Website www.sberbank-ast.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information

on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027707000441 (Russia); Tax ID No. 7707308480 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

200. JOINT STOCK COMPANY SBERBANK LEASING (a.k.a. CJSC SBERBANK LEASING; f.k.a. RUSSKO-GERMANSKAYA LIZINGOVAYA KOMPANIYA ZAO; a.k.a. SBERBANK LEASING JSC; a.k.a. SBERBANK LEASING ZAO; a.k.a. SBERBANK LIZING ZAKRYTOE AKTSIONERNOE OBSHCHESTVO), Novoivanovskoe workers settlement, Odintsovo, Moscow Region 143026, Russia; 6 Vorobievskoe shosse, Moscow 119285, Russia; Website www.sberleasing.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027739000728 (Russia); Tax ID No. 7707009586 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

201. JOINT STOCK COMPANY SBERBANK PRIVATE PENSION FUND (a.k.a. CJSC NON-STATE PENSION FUND OF SBERBANK; f.k.a. NEGOSUDARSTVENNY PENSIONNY FOND SBERBANKA; a.k.a. NPF SBERBANKA ZAO; a.k.a. SBERBANK PPF JSC; a.k.a. SBERBANK PRIVATE PENSION FUND CLOSED JOINT STOCK COMPANY; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO NEGOSUDARSTVENNY PENSIONNY FOND SBERBANKA), d. 31 G ul. Shabolovka, Moscow 115162, Russia; Website www.npfsberbanka.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-

harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147799009160 (Russia); Tax ID No. 7725352740 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

202. JSC NPO HIGH PRECISION SYSTEMS (Cyrillic: АО НПО ВЫСОКОТОЧНЫЕ КОМПЛЕКСЫ) (a.k.a. AKTSIONERNOE OBSHCHESTVO NPO VYSOKOTOCHNYE KOMPLEKSY; a.k.a. HIGH PRECISION WEAPONS JOINT STOCK COMPANY SCIENTIFIC PRODUCTION ASSOCIATION; a.k.a. JSC NPO VYSOKOTOCHNYE KOMPLEKSY; a.k.a. NPO VYSOKOTOCHNYE KOMPLEKSY, AO), 21 str. 1, bulvar Gogolevski, Moscow 119019, Russia; 7 Kievskaya Str., Moscow 121059, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 12 Feb 2009; Registration ID 1097746068012 (Russia); Tax ID No. 7704721192 (Russia); Government Gazette Number 60390527 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

203. JSC VEB.DV (a.k.a. AO VEB.DV; f.k.a. FAR EAST AND BAIKAL REGION DEVELOPMENT FUND OJSC; f.k.a. JSC FAR EAST AND ARCTIC REGION DEVELOPMENT FUND; f.k.a. OJSC THE FAR EAST AND BAIKAL REGION DEVELOPMENT FUND), Nab. Presnenskaya D. 10, pom II komn 8-59, Moscow 123112, Russia; Website fondvostok.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 2721188289 (Russia); Registration Number 1112721010995 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

204. LIMITED LIABILITY COMPANY SBERBANK CAPITAL (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU SBERBANK

KAPITAL; a.k.a. SBERBANK CAPITAL LIMITED LIABILITY COMPANY; a.k.a. SBERBANK CAPITAL LLC; a.k.a. SBERBANK KAPITAL OOO), d.19 ul. Vavilova, Moscow 117997, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1087746887678 (Russia); Tax ID No. 7736581290 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

205. LIMITED LIABILITY COMPANY SBERBANK FINANCIAL COMPANY (a.k.a. LLC SBERBANK FINANCIAL COMPANY; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU FINANSOVAYA KOMPANIYA SBERBANKA; a.k.a. SBERBANK FINANCE COMPANY LIMITED LIABILITY COMPANY; a.k.a. SBERBANK FINANCE LLC; a.k.a. SBERBANK-FINANCE; a.k.a. SBERBANK-FINANS OOO), d. 29/16 per. Sivtsev Vrazhek, Moscow 119002, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1107746399903 (Russia); Tax ID No. 7736617998 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

206. LIMITED LIABILITY COMPANY SBERBANK INSURANCE BROKER (a.k.a. LLC INSURANCE BROKER OF SBERBANK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVOI BROKER SBERBANKA; a.k.a. OOO STRAKHOVOI BROKER SBERBANKA; a.k.a. SBERBANK INSURANCE BROKER LLC), 42 Bolshaya Yakimanka St., b. 1-2,

office 206, Moscow 119049, Russia; 1 Vasilisy Kozhinoy Street, building 1, floor 11, room 30, Moscow 121096, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147746683468 (Russia); Tax ID No. 7706810730 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

207. LIMITED LIABILITY COMPANY SBERBANK INVESTMENTS (a.k.a. SBERBANK INVESTMENTS LLC; a.k.a. SBERBANK INVESTMENTS OOO), 46 Molodezhnaya St., Odintsovo, Moscow Region 143002, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 5039441 (Russia); Registration Number 1105032007761 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

208. LIMITED LIABILITY COMPANY VTB DC (a.k.a. LLC VTB DC; a.k.a. VTB DC LIMITED; a.k.a. VTB DC LTD), Room 47, office XIV, 8 Brestskaya Street, Moscow 125047, Russia; d. 35 str. 1, Prospect Leningradski, Moscow 125284, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 2011; Registration Number 5117746058733 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662]

[RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

209. LLC INFRASTRUCTURE MOLZHANINOVO (Cyrillic: ООО ИНФРАСТРУКТУРА МОЛЖАНИНОВО) (a.k.a. INFRASTRUKTURA MOLZHANINOVO; f.k.a. LLC RESAD (Cyrillic: ООО РЕСАД); f.k.a. RESAD LLC), ul. Bryanskaya D. 5, et 4 pom. I kom 25, Moscow 121059, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7733109347 (Russia); Registration Number 1027739071337 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

210. NPF VTB PENSION FUND JOINT STOCK COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO NEGOSUDARSTVENNY PENSIONNY FOND VTB PENSIONNY FOND; f.k.a. NEKOMMERCHESKAYA ORGANIZATSIYA NEGOSUDARSTVENNY PENSIONNY FOND VTB PENSIONNY FOND; a.k.a. NONPROFIT ORGANIZATION NON-STATE PENSION FUND VTB PENSION FUND; a.k.a. NON-STATE PENSION FUND VTB PENSION FUND, JSC; a.k.a. NPF VTB PENSION FUND JSC; a.k.a. NPF VTB PENSIONNY FOND, AO), d. 43 str. 1 ul. Vorontsovskaya, Moscow 109147, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 1147799014692 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

211. NPK TEKHMASH OAO (a.k.a. AKTSIONERNOE OBSHCHESTVO NAUCHNO-PROIZVODSTVENNY KONTSERN TEKHNOLOGII MASHINOSTROENIYA; a.k.a. JOINT STOCK COMPANY SCIENTIFIC INDUSTRIAL CONCERN MANUFACTURING ENGINEERING; a.k.a. JSC SPC TECHMASH; a.k.a. OJSC MACHINE ENGINEERING TECHNOLOGIES; a.k.a. SCIENTIFIC INDUSTRIAL CONCERN MANUFACTURING ENGINEERING OJSC), d. 58 str. 4 shosse Leningradskoe, Moscow 125212, Russia; Ul. Bolshaya Tatarskaya D. 35, Str. 5, Moscow 115184, Russia; Executive Order 13662 Directive Determination - Subject

to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 06 Apr 2011; Registration ID 1117746260477 (Russia); Tax ID No. 7743813961 (Russia); Government Gazette Number 91420386 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

212. OPEN JOINT STOCK COMPANY BPS-SBERBANK (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО СБЕР БАНК) (a.k.a. BPS SBERBANK OJSC; a.k.a. BPS-SBERBANK OAO (Cyrillic: ОАО СБЕР БАНК); a.k.a. SBER BANK), 6 Mulyavina Boulevard, Minsk 220005, Belarus; SWIFT/BIC BPSBBY2X; Website www.sber-bank.by; alt. Website www.bps-sberbank.by; Executive Order 13662 Directive Determination - Subject to Directive 1; alt. Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 100219673 (Belarus); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

213. PROMINVESTBANK (a.k.a. COMMERCIAL INDUSTRIAL AND INVESTMENT BANK PUBLIC JOINT STOCK COMPANY; a.k.a. JOINT STOCK COMMERCIAL INDUSTRIAL AND INVESTMENT BANK PUBLIC JOINT STOCK COMPANY; a.k.a. PSC PROMINVESTBANK; a.k.a. PUBLIC STOCK COMPANY JOINT STOCK COMMERCIAL INDUSTRIAL AND INVESTMENT BANK), 12, Shevchenko lane, Kyiv 01001, Ukraine; SWIFT/BIC UPIBUAUX; Website pib.ua; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 26 Aug 1992; Target Type Financial Institution; Registration Number 00039002 (Ukraine); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR

DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

214. PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО СБЕРБАНК РОССИИ) (f.k.a. JOINT STOCK COMMERCIAL SAVINGS BANK OF THE RUSSIAN FEDERATION; f.k.a. JOINT STOCK COMMERCIAL SAVINGS BANK OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC; f.k.a. OJSC SBERBANK OF RUSSIA; f.k.a. OPEN JOINT STOCK COMPANY SBERBANK OF RUSSIA; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO SBERBANK ROSSII; a.k.a. PJSC SBERBANK (Cyrillic: ПАО СБЕРБАНК); f.k.a. SBERBANK OF RSFSR; a.k.a. SBERBANK OF RUSSIA; a.k.a. SBERBANK ROSSII; f.k.a. SBERBANK ROSSII OAO), 19 ul. Vavilova, Moscow 117312, Russia (Cyrillic: ул. Вавилова, д. 19, Москва 117312, Russia); SWIFT/BIC SABRRUMM; Website www.sberbank.ru; alt. Website www.sberbank.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7707083893 (Russia); Registration Number 1027700132195 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

215. RUSSIAN AGENCY FOR EXPORT CREDIT AND INVESTMENT INSURANCE OJSC (a.k.a. EKSAR OAO; a.k.a. EXIAR; a.k.a. EXIAR JSC; a.k.a. EXIAR OJSC; a.k.a. ROSSISKOE AGENTSTVO PO STRAKHOVANIYU EKSPORTNYKH KREDITOV I INVESTITSI OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. RUSSIAN AGENCY FOR EXPORT CREDIT AND INVESTMENT INSURANCE JSC), nab. Krasnopresnenskaya d. 12, Moscow 123610, Russia; Website exiar.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions

Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 13 Oct 2011; Target Type Government Entity; Tax ID No. 7704792651 (Russia); Registration Number 1117746811566 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

216. SB SECURITIES SA, Boulevard Konrad Adenauer 2, Luxembourg 1115, Luxembourg; 14, rue Edward Steichen, L-2540, Luxembourg; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID B171037 (Luxembourg); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

217. SBERBANK EUROPE AG, Schwarzenbergplatz 3, Vienna 1010, Austria; SWIFT/BIC SABRATWW; Website www.sberbank.at; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. ATU55795009 (Austria); Registration Number FN 161285 i (Austria); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

218. SETELEM BANK LIMITED LIABILITY COMPANY (Cyrillic: ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ СЕТЕЛЕМ БАНК) (a.k.a.

CETELEM BANK LIMITED LIABILITY COMPANY; a.k.a. CETELEM BANK LLC (Cyrillic: СЕТЕЛЕМ БАНК ООО); f.k.a. KOMMERCHESKI BANK UKRSIBBANK OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. SETELEM BANK OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. SETELEM BANK OOO), 26 ul. Pravdy, Moscow 125124, Russia (Cyrillic: ул. Правды, д. 26, г. Москва 125124, Russia); SWIFT/BIC CETBRUMM; Website www.cetelem.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027739664260 (Russia); Tax ID No. 6452010742 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

219. STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK (f.k.a. BANK FOR FOREIGN TRADE OF THE U.S.S.R.; a.k.a. GK VEB.RF; a.k.a. GOSUDARSTVENNAYA KORPORATSIYA RAZVITIYA VEB.RF; a.k.a. STATE DEVELOPMENT CORPORATION VEB.RF (Cyrillic: ГОСУДАРСТВЕННАЯ КОРПОРАЦИЯ РАЗВИТИЯ ВЭБ.РФ); a.k.a. VEB.RF (Cyrillic: ВЭБ.РФ); f.k.a. VNESHECONOMBANK; f.k.a. VNESHEKONOMBANK GK; f.k.a. VNESHEKONOMBANK SSSR; a.k.a. "BANK FOR DEVELOPMENT"; a.k.a. "VEB"), Akademik Sakharov Ave 9, Moscow 107996, Russia; Pr-kt, Akademika Sakharova, D. 9, Moscow 107078, Russia (Cyrillic: Пр-Кт Академика Сахарова, Д. 9, Город Москва 107078, Russia); SWIFT/BIC BFEARUMM; Website www.veb.ru; BIK (RU) 044525060; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 18 Aug 1922; Target Type State-Owned Enterprise; alt. Target Type Financial Institution; Tax ID No. 7750004150 (Russia); Government Gazette Number 00005061 (Russia); Registration Number 1077711000102 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

220. SUBSIDIARY BANK SBERBANK OF RUSSIA JOINT STOCK COMPANY (a.k.a. DOCHERNI BANK AKTSIONERNOE OBSHCHESTVO SBERBANK ROSSII; a.k.a. SB SBERBANK JSC; f.k.a. "TEXAKABANK JSC"), 30/26, Gogol/Kaldayakov Street, Almaty 050010, Kazakhstan; 13/1 Al-Farabi Avenue, Bostandyk District, Almaty 050059, Kazakhstan; Zenkov St, 24, Almaty 480100, Kazakhstan; SWIFT/BIC SABRKZKA; Website www.sberbank.kz; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 600900050984 (Kazakhstan); Registration Number 930740000137 (Kazakhstan); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

221. VEB ASIA LIMITED, Suite 5808, 58/F, Two International Finance Center, 8 Finance Street Central, Hong Kong, China; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 08 Apr 2013; Registration Number 1886537 (Hong Kong); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

222. VEB CAPITAL (a.k.a. LLC VEB CAPITAL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU INVESTITSIONNA YA KOMPANIYA VNESHEKONOMBANKA; a.k.a. OOO VEB KAPITAL), d. 7 str. A ul. Mashi Poryvaevoi, Moscow 107078, Russia; Website vebcapital.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 24 Dec 2009; Tax ID No. 7708710924 (Russia); Registration Number 1097746831709 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

223. VEB ENGINEERING LLC (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VEB INZHINIRING; a.k.a. OOO VEB ENGINEERING; a.k.a. OOO VEB INZHINIRING; a.k.a. VEB ENGINEERING LIMITED LIABILITY COMPANY), d. 9 prospekt Akademika Sakharova, Moscow 107996, Russia; Per. Lyalin D. 19, Korpus 1, Pom. XXIV, Kom 11, Moscow 101000, Russia; Website vebeng.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 11 Mar 2010; Tax ID No. 7708715560 (Russia); Registration Number 1107746181674 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

224. VEB LEASING OJSC (a.k.a. OAO VEB LIZING; a.k.a. OJSC VEB LEASING; a.k.a. OPEN JOINT STOCK COMPANY VEB LEASING; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VEB LIZING), d. 10 ul. Vozdvizhenka, Moscow 125009, Russia; Str. Dolgorukovskaya, 7, Novoslobodskaya, Moscow 127006, Russia; Website veb-leasing.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 2003; Tax ID No. 7709413138 (Russia); Registration Number 1037709024781 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

225. VERTOLETY ROSSII AO (a.k.a. AKTSIONERNOE OBSHCHESTVO VERTOLETY ROSSII; a.k.a. JOINT STOCK COMPANY RUSSIAN HELICOPTERS; a.k.a. JSC RUSSIAN HELICOPTERS; a.k.a. OPEN JOINT STOCK COMPANY RUSSIAN HELICOPTERS; a.k.a. RUSSIAN HELICOPTERS JOINT STOCK COMPANY), Entrance 9, 12, Krasnopresnenskaya emb., Moscow

123610, Russia; 1, Ul. Bolshaya Pionerskaya, Moscow 115054, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077746003334 (Russia); Tax ID No. 7731559044 (Russia); Government Gazette Number 98927243 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

226. VTB BANK ARMENIA CLOSED JOINT STOCK COMPANY (f.k.a. SAVINGS BANK OF THE REPUBLIC OF ARMENIA; a.k.a. VTB BANK ARMENIA CJSC), 46 Ul, Nalbandyan, Yerevan 375010, Armenia; SWIFT/BIC ARMJAM22; Website www.vtb.am; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

227. VTB BANK AZERBAIJAN OPEN JOINT STOCK COMPANY (a.k.a. BANK VTB AZERBAIJAN OJSC; a.k.a. JSC VTB BANK AZERBAIJAN; f.k.a. OJSC AF BANK), 38 Khatai ave. Nasimi district, Baku AZ 1008, Azerbaijan; 60, Samed Vurgun str, Baku 1022, Azerbaijan; SWIFT/BIC VTBAAZ22; Website http://en.vtb.az/; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

228. VTB BANK BELARUS CLOSED JOINT STOCK COMPANY (f.k.a. CJSC SLAVNEFTEBANK; a.k.a. CJSC VTB BANK BELARUS; a.k.a. VTB BANK BELARUS; a.k.a. VTB BANK BELARUS CJSC; a.k.a. VTB BANK BELARUS CLOSED JOINT STOCK COMPANY), 14, Moskovskaya Street, Minsk 220007, Belarus; SWIFT/BIC SLANBY22; Website www.vtb-bank.by; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the

following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

229. VTB BANK GEORGIA JOINT STOCK COMPANY (a.k.a. JSC VTB BANK GEORGIA; a.k.a. VTB BANK GEORGIA JSC; f.k.a. "UNITED GEORGIAN BANK"), 14, G. Chanturia Street, Tbilisi 0114, Georgia; SWIFT/BIC UGEBGE22; Website www.vtb.com.ge; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

230. VTB BANK PUBLIC JOINT STOCK COMPANY (Cyrillic: БАНК ВТБ ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО) (f.k.a. BANK FOR FOREIGN TRADE OF RSFSR; f.k.a. BANK OF FOREIGN TRADE OF THE RUSSIAN FEDERATION; f.k.a. BANK VNESHEI TORGOVLI OAO; f.k.a. BANK VNESHNEI TORGOVLI ROSSISKOI FEDERATSII AS A PRIVATE JOINT STOCK COMPANY; f.k.a. BANK VNESHNEI TORGOVLI RSFSR; f.k.a. BANK VNESHNEY TORGOVLI JOINT STOCK COMPANY; f.k.a. BANK VNESHNEY TORGOVLI OPEN JOINT STOCK COMPANY; f.k.a. BANK VNESHNEY TORGOVLI ROSSIYSKOY FEDERATSII CLOSED JOINT STOCK COMPANY; f.k.a. BANK VTB OAO; f.k.a. BANK VTB OPEN JOINT STOCK COMPANY; a.k.a. BANK VTB PAO; a.k.a. BANK VTB PUBLICHNOE AKTSIONERNOE OBSHCHESTVO; f.k.a. CJSC BANK FOR FOREIGN TRADE OF THE RUSSIAN FEDERATION; f.k.a. JSC VTB BANK; f.k.a. OAO BANK VTB; f.k.a. OAO VNESHTORGBANK; f.k.a. OJSC CJSC BANK FOR FOREIGN TRADE; f.k.a. RUSSIAN VNESHTORGBANK; f.k.a. VNESHTORGBANK; f.k.a. VNESHTORGBANK OF RSFSR; f.k.a. VNESHTORGBANK ROSSII CLOSED JOINT STOCK COMPANY; a.k.a. VTB BANK; f.k.a. VTB BANK OAO; f.k.a. VTB BANK OPEN JOINT STOCK COMPANY; a.k.a. VTB BANK PAO; a.k.a. VTB BANK PJSC (Cyrillic: БАНК ВТБ ПАО)), 29, Bolshaya Morskaya str., St. Petersburg 190000, Russia; 37 Plyushchikha ul., Moscow 119121, Russia; 43, Vorontsovskaya str., Moscow 109044, Russia; 11 litera, per. Degtyarny, St. Petersburg 191144, Russia; 11, lit A, Degtyarnyy pereulok, St. Petersburg 191144, Russia; 43, bld.1, Vorontsovskaya str., Moscow 109147, Russia; Bashnya Zapad, Kompleks Federatsiya, 12, nab. Presnenskaya, Moscow 123317, Russia; str. 1, 43, ul.

Vorontsovskaya, Moscow 109147, Russia; Vorontsovskaya Str 43, Moscow 109147, Russia; SWIFT/BIC VTBRRUMM; Website www.vtb.com; alt. Website www.vtb.ru; BIK (RU) 044030707; alt. BIK (RU) 044525187; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 17 Oct 1990; Target Type Financial Institution; Registration ID 1027739609391 (Russia); Tax ID No. 7702070139 (Russia); Government Gazette Number 00032520 (Russia); License 1000 (Russia); Legal Entity Number 253400V1H6ART1UQ0N98 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

231. VTB CAPITAL HOLDINGS CLOSED JOINT STOCK COMPANY (a.k.a. HOLDING VTB CAPITAL CJSC; a.k.a. KHOLDING VTB KAPITAL ZAKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. VTB CAPITAL HOLDING CJSC; a.k.a. VTB CAPITAL HOLDING ZAO; a.k.a. VTB CAPITAL JSC), 12 Presnenskaya nab., Moscow 123100, Russia; 4th Lesnoy Pereulok 4, Capital Plaza, Moscow 125047, Russia; Room 410, Stolyarniy Pereulok 3, bld 34, Moscow 123022, Russia; Website http://vtbcapital.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 1097746344596 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

232. VTB FACTORING LTD (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VTB FAKTORING; a.k.a. VTB FACTORING LIMITED; a.k.a. VTB FAKTORING OOO), d. 52 str. 1 nab.Kosmodamianskaya, Moscow 115054, Russia; Website www.vtbf.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 5087746611145 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

233. VTB PENSION ADMINISTRATOR LIMITED (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VTB PENSIONNY ADMINISTRATOR; a.k.a. VTB PENSION ADMINISTRATOR LTD; a.k.a. VTB PENSIONNY ADMINISTRATOR OOO), d. 52 str. 1 nab.Kosmodamianskaya, Moscow 115054, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Type: Activities of holding companies; Registration ID 1097746178232 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

234. VTB REGISTRAR CLOSED JOINT STOCK COMPANY (a.k.a. JOINT STOCK COMPANY VTB REGISTRAR; a.k.a. JSC VTB REGISTRAR; a.k.a. VTB REGISTRAR; a.k.a. VTB REGISTRAR CJSC), 23, Pravdy Street, Moscow 125040, Russia; Website www.vtbreg.ru; BIK (RU) 044525745; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration Number 1045605469744 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

235. VTB SPECIALIZED DEPOSITORY CLOSED JOINT STOCK COMPANY (a.k.a. CJS VTB SPECIALIZED DEPOSITORY; a.k.a. VTB SPECIALIZED DEPOSITORY CJSC), 35 Myasnitskaya Street, Moscow 101000, Russia; Website www.odk.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 04 Jul 1996; Target Type Financial Institution; Registration Number 1027739157522 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

1. M-SAAN; Aircraft Manufacture Date Sep 2007; Aircraft Mode S Transponder Code 424B32; Aircraft Model EMB135; Aircraft Operator Autolex Transport LTD.; Nationality of Registration Man, Isle of; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aircraft Serial Identification 14501008 (aircraft) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: AUTOLEX TRANSPORT LTD.).

2. RA-02791 (f.k.a. M-VITO); Aircraft Manufacture Date 01 Dec 2000; Aircraft Mode S Transponder Code 140AE7; Aircraft Model Hawker 800XP; Aircraft Operator Beratex Group Limited; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aircraft Serial Identification 258512 (aircraft) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: BERATEX GROUP LIMITED).

3. VP-CSP; Aircraft Manufacture Date Sep 1991; Aircraft Mode S Transponder Code 400065; Aircraft Model BAE 125 Series 800B; Aircraft Operator Linburg Industries LTD.; Nationality of Registration Cayman Islands; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Aircraft Serial Identification 258210 (aircraft) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: LINBURG INDUSTRIES LTD.).

1. MARSHAL ZHUKOV Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 9690224 (vessel) [UKRAINE-EO13685] (Linked To: TRANS-FLOT JSC).

2. OT-2077 Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 9025778 (vessel) [UKRAINE-EO13685] (Linked To: TRANSPETROCHART CO LTD).

3. PASSAT Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO

8523242 (vessel) [UKRAINE-EO13685] (Linked To: TRANSPETROCHART CO LTD).

4. SIG Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 9735335 (vessel) [UKRAINE-EO13685] (Linked To: TRANSPETROCHART CO LTD).

5. ST. VITAMIN Pleasure Craft St. Vincent and the Grenadines flag (Beratex Group Limited); Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; MMSI 375311000 (vessel) [UKRAINE-EO13661] [CYBER2] [ELECTION-EO13848] (Linked To: BERATEX GROUP LIMITED).

6. STALINGRAD Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 9690212 (vessel) [UKRAINE-EO13685] (Linked To: TRANS-FLOT JSC).

7. SUDAK Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 8943155 (vessel) [UKRAINE-EO13685] (Linked To: TRANSPETROCHART CO LTD).

8. YAZ Russia flag; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Vessel Registration Identification IMO 9735323 (vessel) [UKRAINE-EO13685] (Linked To: TRANSPETROCHART CO LTD).

1. ROSNEFT TRADING S.A., Rue Place du Lac 2, 1204, Geneva, Switzerland; Website www.rosneft.com; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. CHE-309.842.573 (Switzerland); Registration Number CH-660.0.257.011-8 (Switzerland); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662]

[VENEZUELA-EO13850] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

2. ROSOBORONEKSPORT OAO (a.k.a. OJSC ROSOBORONEXPORT; a.k.a. ROSOBORONEKSPORT OJSC; a.k.a. ROSOBORONEXPORT; a.k.a. ROSOBORONEXPORT JSC; a.k.a. RUSSIAN DEFENSE EXPORT ROSOBORONEXPORT), 27 Stromynka ul., Moscow 107076, Russia; Website www.roe.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746521452; Tax ID No. 7718852163; Government Gazette Number 56467052; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [SYRIA] [UKRAINE-EO13662] (Linked To: ROSTEC).

3. TNK TRADING INTERNATIONAL S.A., place du Lac 2, Geneve 1204, Switzerland; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; V.A.T. Number CHE-267.936.404 (Switzerland); Business Registration Number CH-660.0.559.011-2 (Switzerland); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [VENEZUELA-EO13850] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

4. 90 EKSPERIMENTALNY ZAVOD OAO (a.k.a. 90 EXPERIMENTAL PLANT OPEN JOINT STOCK COMPANY; a.k.a. OPEN JOINT-STOCK COMPANY 90 EKSPERIMENTALNIY ZAVOD), P. Rassudovo, Street Tsentralnaya, D. 103, Moscow 143396, Russia; Website http://www.90zavod.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 5030056754; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

5. ACHIM DEVELOPMENT, OOO (a.k.a. ACHIM DEVELOPMENT; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'ACHIM DEVELOPMENT'), d. 7 ul. Promyshlennaya, Novy Urengoi, Yamalo-Nenetski a.o. 629306, Russia; Executive Order 13662 Directive Determination - Subject to

Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1148904001971; Tax ID No. 8904075533; Government Gazette Number 32131525; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

6. ACTIVEBUSINESSCOLLECTION LIMITED LIABILITY COMPANY (a.k.a. AKTIVBIZNESKOLLEKSHN, OOO; a.k.a. LIMITED LIABILITY COMPANY ACTIVEBUSINESSCOLLECTION; a.k.a. LLC ACTIVEBUSINESSCOLLECTION; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU AKTIVBIZNESKOLLEKSHN), d. 19 ul. Vavilova, Moscow 117997, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1137746390572 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

7. AGROKREDIT-INFORM, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO ‘AGROKREDIT-INFORM’; a.k.a. CLOSED JOINT-STOCK COMPANY 'AGROCREDIT-INFORM'), 3 per. Gagarinski, Moscow 119034, Russia; 3 Gagarinsky Pereulok, Moscow, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1087746334400; Tax ID No. 7704681172; Government Gazette Number 85651516; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

8. PUBLIC JOINT STOCK COMPANY TRANSNEFT (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ТРАНСНЕФТЬ) (f.k.a. AK TRANSNEFT OAO; f.k.a. AKTSIONERNAYA KOMPANIYA PO TRANSPORTU NEFTI TRANSNEFT PAO; a.k.a. JSC TRANSNEFT; a.k.a. OIL TRANSPORTING JOINT STOCK COMPANY TRANSNEFT; a.k.a. PAO TRANSNEFT (Cyrillic: ПАО ТРАНСНЕФТЬ); a.k.a. PJSC TRANSNEFT; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO TRANSNEFT), naberezhnaya Presnenskaya, D. 4, Str. 2, Moscow 123112, Russia (Cyrillic: Наб. Пресненская, Д. 4, СТР. 2, Город Москва 123112, Russia); Website www.transneft.ru; Executive Order 13662

Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 26 Aug 1993; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7706061801 (Russia); Government Gazette Number 00044463 (Russia); Registration Number 1027700049486 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

9. AKTSIONERNOE OBSHCHESTVO MOSKOVSKI MASHINOSTROITELNY EKSPERIMENTALNY ZAVOD - KOMPOZITSIONNYE TEKHNOLOGII (a.k.a. JOINT STOCK COMPANY MOSKOW EXPERIMENTAL MACHINE-BUILDING PLANT - COMPOSITE TECHNOLOGIES; a.k.a. MMEZ-KT OJSC; a.k.a. MMEZ-KT, AO; a.k.a. MMEZ-KT-OAO; a.k.a. MOSCOW MECHANICAL EXPERIMENTAL PLANT – COMPOSITE TECHNOLOGIES OPEN JOINT STOCK COMPANY; a.k.a. MOSKOVSKIY MEKHANICHESKIY EKSPERIMENTALNIY ZAVOD – KOMPOZITSIONNYE TEKHNOLOGII; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO MOSKOVSKI MEKHANICHESKI EKSPEREMENTALNY ZAVOD), d. 9 Pr. 1-I Magistralny, Moscow 123290, Russia; Email Address 9400658@rambler.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037714019815; Tax ID No. 7714303050; Government Gazette Number 00211286; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

10. AKTSIONERNOE OBSHCHESTVO NAUCHNO-PROIZVODSTVENNOE OBEDINENIE OPTIKA (a.k.a. FEDERAL STATE UNITARY ENTERPRISE SCIENTIFIC AND PRODUCTION ASSOCIATION OPTIKA; f.k.a. FEDERALNOE GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE

NAUCHNO PROIZVODSTVENNOE OBEDINENIE OPTIKA; a.k.a. NPO OPTIKA, AO; a.k.a. OPEN JOINT STOCK COMPANY NAUCHNO-PROIZVODSTVENNOYE OBYEDINENIYE OPTIKA), Vladenie 33 Shosse Altufevskoe, Moscow 127410, Russia; Shosse Altufyevskoye, D. 33, Moscow 127410, Russia; Email Address TEOPT@MAIL.CNT.RU; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1127746188536; Tax ID No. 7715909132; Government Gazette Number 17412936; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

11. NPK TEKHMASH OAO (a.k.a. AKTSIONERNOE OBSHCHESTVO NAUCHNO-PROIZVODSTVENNY KONTSERN TEKHNOLOGII MASHINOSTROENIYA; a.k.a. JOINT STOCK COMPANY SCIENTIFIC INDUSTRIAL CONCERN MANUFACTURING ENGINEERING; a.k.a. JSC SPC TECHMASH; a.k.a. OJSC MACHINE ENGINEERING TECHNOLOGIES; a.k.a. SCIENTIFIC INDUSTRIAL CONCERN MANUFACTURING ENGINEERING OJSC), d. 58 str. 4 shosse Leningradskoe, Moscow 125212, Russia; Ul. Bolshaya Tatarskaya D. 35, Str. 5, Moscow 115184, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 06 Apr 2011; Registration ID 1117746260477 (Russia); Tax ID No. 7743813961 (Russia); Government Gazette Number 91420386 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

12. AKTSIONERNOE OBSHCHESTVO NOVOSIBIRSKI ZAVOD POLUPROVODNIKOVYKH PRIBOROV S OKB (a.k.a. NOVOSIBIRSK FACTORY OF SEMICONDUCTOR DEVICES WITH THE SPECIAL DESIGN CENTRE PUBLIK JOINT STOCK COMPANY; a.k.a. NZP POLUPROVODNIKOVYKH PRIBOROV S OKB, AO; a.k.a. NZPP S OKB OJSC; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NOVOSIBIRSKI ZAVOD POLUPROVODNIKOVYKH PRIBOROV S OKB), 60 ul. Dachnaya, Novosibirsk, Novosibirskaya obl. 630082, Russia; Email Address secretar@nzpp.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1115476167180; Tax ID No. 5402546039; Government Gazette Number 07617658; For more information on directives, please visit the

following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

13. AKTSIONERNOE OBSHCHESTVO RT-AVTO (a.k.a. RT-AUTO OPEN JOINT STOCK COMPANY; a.k.a. RT-AVTO OJSC; a.k.a. "RT-AUTO"; a.k.a. "RT-AVTO, AO"; a.k.a. "RT-AVTO, OAO"), d. 2/17 str. 1 tup Verkhni Taganski, Moscow 109240, Russia; Website http://rostec.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746247850; Tax ID No. 7709851082; Government Gazette Number 66310966; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

14. AKTSIONERNOE OBSHCHESTVO RT-BIOTEKHPROM (a.k.a. RT-BIOTECHPROM; a.k.a. RT-BIOTECHPROM OJSC; a.k.a. RT-BIOTEKHPROM, AO), d. 24 ul. Usacheva, Moscow 119048, Russia; Website www.rt-biotechprom.ru; Email Address dshumikhin@rt-biotechprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746425996; Tax ID No. 7704730729; Government Gazette Number 62666778; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

15. AKTSIONERNOE OBSHCHESTVO RT-KHIMICHESKIE TEKHNOLOGII I KOMPOZITSIONNYE MATERIALY (a.k.a. JOINT STOCK COMPANY RT-CHEMICAL TECHNOLOGIES AND COMPOSITE MATERIALS; a.k.a. OAO JSC CHEMCOMPOSITE; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO RT KHIMICHESKIE I KOMPOZITSIONNYE TECHNOLOGIES I MATERIALY; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO RT KHIMICHESKIE TECHNOLOGIES I KOMPOZITSIONNYE MATERIALY; a.k.a. RT-CHEMICAL AND COMPOSITE TECHNOLOGIES AND MATERIALS; a.k.a. RT-KHIMKOMPOZIT OAO; a.k.a. RT-KHIMKOMPOZIT OJSC; a.k.a. RT-KHIMKOMPOZIT, AO), d. 40 korp. 1 ul. Narodnogo Opolcheniya, Moscow 123298, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746269785; Tax

ID No. 7734613934; Government Gazette Number 61698405; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

16. AKTSIONERNOE OBSHCHESTVO RT-OKHRANA (a.k.a. JOINT STOCK COMPANY RT-GUARD; a.k.a. RT-OKHRANA; a.k.a. RT-OKHRANA ZAO; a.k.a. RT-OKHRANA, AO; a.k.a. ZAO RT-OKHRANA), d. 24 ul. Usacheva, Moscow 119048, Russia; Website http://rtguard.ru/; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746577652; Tax ID No. 7704759968; Government Gazette Number 66902230; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

17. AKTSIONERNOE OBSHCHESTVO RT-STROITELNYE TEKHNOLOGII (a.k.a. JOINT STOCK COMPANY RT-CONSTRUCTION TECHNOLOGIES; a.k.a. OPEN JOINT-STOCK COMPANY RT-STROITELNYYE TEKHNOLOGII; a.k.a. RT-STROITELNYE TECHNOLOGIES OAO; a.k.a. RT-STROITELNYE TEKHNOLOGII, AO), d. 2 korp., 4 str., 16 kv., 6 per. Bolshoi Savvinski, Moscow 119435, Russia; Email Address chernyakova-st@stroytech-rt.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746324400; Tax ID No. 7704727853; Government Gazette Number 61771160; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

18. AKTSIONERNOE OBSHCHESTVO SHVABE (a.k.a. JOINT STOCK COMPANY SHVABE; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NAUCHNO PROIZVODSTVENNY KONTSERN OPTICHESKIE SISTEMY I TECHNOLOGIES; a.k.a. SHVABE OPEN JOINT STOCK COMPANY; a.k.a. SHVABE, AO), d. 33 B ul. Vostochnaya, Ekaterinburg, Sverdlovskaya obl. 620100, Russia; 33b, Vostochnaya St., Yekaterinburg City, Russia; Website http://www.shvabe.com; Email Address mail@shvabe.com; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746256727; Tax ID No. 7717671799; Government Gazette Number

07508641; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

19. AKTSIONERNOE OBSHCHESTVO TEKHNODINAMIKA (f.k.a. AGREGATNOE KONSTRUKTORSKOE BYURO YAKOR OAO; a.k.a. JOINT STOCK COMPANY AVIATION EQUIPMENT; a.k.a. "TECHNODINAMIKA"; a.k.a. "TEKHNODINAMIKA, AO"), d. 29 ul. Ibragimova, Moscow 105318, Russia; Website www.akbyakor.ru; Email Address amuravyeva@avia-equipment.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037719005873; Tax ID No. 7719265496; Government Gazette Number 07543117; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

20. AKTSIONERNOE OBSHCHESTVO TSENTRALNOE KONSTRUKTORSKOE BYURO SPETSIALNYKH RADIOMATERIALOV (a.k.a. CENTRAL DESIGN BUREAU OF SPECIAL RADIO MATERIALS OPEN JOINT STOCK COMPANY; f.k.a. FEDERALNOE GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE TSENTRALNOE KONSTRUKTORSKOE BYURO SPETSIALNYKH RADIOMATERIALOV; a.k.a. OPEN JOINT STOCK COMPANY TSENTRALNOYE KONSTRUKTORSKOYE BYURO SPETSIALNYKH RADIOMATERIALOV; a.k.a. OPEN JOINT-STOCK COMPANY CENTRAL DESIGN OFFICE OF RADIOMATERIALS; a.k.a. TSKB RM, AO), d. 125b shosse Varshavskoe, Moscow 117587, Russia; Pr. Krasnokazarmenniy, D. 14 A, Bldg. 19, Moscow, Russia; Website www.ckbrm.nm.ru; alt. Website http://ckbrm.ru; Email Address ckbrm@nm.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077746102060; Tax ID No. 7722599844; Government Gazette Number 07550073; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

21. ALBASHSKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA ALBASHKI ELEVATOR; a.k.a. OAO 'ALBASHSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'ALBASHSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO

'ALBASHSKI ELEVATOR'), 15 per. Zaporozhski Stanitsa Novominskaya, Kanevskoi Raion, Krasnodarski Kr. 353701, Russia; 15 Zaporogskiy Pereulok, Novominskaya Village, Kanevskoy District, Krasnodar Region, Russia; Email Address albashskiy@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022303977112; Tax ID No. 2334001310; Government Gazette Number 00940430; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

22. AREXIMBANK-GAZPROMBANK GROUP CJSC (a.k.a. ARMENIAN-RUSSIAN EXPORT-IMPORT BANK-GAZPROMBANK GROUP CLOSED JOINT-STOCK COMPANY), 12 M. Mkrtchyan Street, Yerevan 375010, Armenia; 6-10 Northern Ave., Yerevan 0001, Armenia; SWIFT/BIC RKASAM22; Website www.areximbank.am; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 02540791; All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

23. AUCTION LIMITED LIABILITY COMPANY (a.k.a. AUKCION LIMITED LIABILITY COMPANY; a.k.a. AUKTSION OOO; a.k.a. LLC AUKCION; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU AUKTSION), d.14 shosse Entuziastov, Moscow 111024, Russia; Room 12, room IB, ground floor, 32 Leninsky Ave, Moscow, Russia; Website www.aukcion-sbrf.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700256297 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

24. AUTOMATED BANKING TECHNOLOGIES CJSC (a.k.a. CJSC 'AUTOMATED BANKING TECHNOLOGIES'; a.k.a. JOINT STOCK COMPANY 'AVTOMATIZIROVANNYYEE BANKOVSKIYE TEKHNOLOGII'; a.k.a. ZAO 'AVTOMATIZIROVANNIY BANKOVSKIY TECHNOLOGII'), Street Pushechnaya, D. 5, G., Moscow 107031, Russia; Executive Order 13662 Directive

Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7702026595 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

25. BANCO VTB AFRICA SA (a.k.a. VTB AFRICA), 22, Rua da Missao, Luanda, Angola; SWIFT/BIC VTBLAOLU; Website www.vtb.ao; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY)..

26. BANK BELVEB OJSC (a.k.a. BANK BELVEB OPEN JOINT STOCK COMPANY; a.k.a. BELVESHECONOMBANK OAO; a.k.a. BELVNESHECONOMBANK OPEN JOINT STOCK COMPANY), 29 Pobeditelei ave., Minsk 220004, Belarus; Myasnikova, 32, Minsk 220050, Belarus; SWIFT/BIC BELBBY2X; Website bveb.by; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 23 Dec 1991; Target Type Financial Institution; Tax ID No. 7750004150 (Russia); Legal Entity Number 25340038P8SYW80B9W34 (Russia); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

27. BANK OF MOSCOW (f.k.a. AKTSIONERNY KOMMERCHESKI BANK BANK MOSKVY, OTKRYTOE AKTSIONERNOE OBSCHCHESTVO; a.k.a. JOINT STOCK COMMERCIAL BANK - BANK OF MOSCOW, OPEN JOINT STOCK COMPANY), 8/15 Korp. 3 ul. Rozhdestvenka, Moscow 107996, Russia; Bld 3 8/15, Rozhdestvenka St., Moscow 107996, Russia; SWIFT/BIC MOSWRUMM; Website www.bm.ru; Email Address holmogorov_ss@mmbank.ru; alt. Email Address info@mmbank.ru; BIK (RU) 044525219; alt. Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID

1027700159497; Government Gazette Number 29292940; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

28. BANK VTB KAZAKHSTAN JOINT STOCK COMPANY (a.k.a. BANK VTB KAZAKHSTAN JSC; a.k.a. JOINT STOCK COMPANY VTB BANK KAZAKHSTAN; a.k.a. SUBSIDIARY JSC BANK VTB KAZAKHSTAN), 28 Timiryazev Street, Almaty 050040, Kazakhstan; SWIFT/BIC VTBAKZKZ; Website http://en.vtb-bank.kz/; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

29. BANK VTB 24 PUBLIC JOINT STOCK COMPANY (f.k.a. BANK VTB 24 (ZAKRYTOE AKTSIONERNOE OBSHCHESTVO); a.k.a. BANK VTB 24 CLOSED JOINT STOCK COMPANY; a.k.a. BANK VTB 24 PUBLICHNOE AKTSIONERNOE OBSHCHESTVO; a.k.a. VTB 24 JSC; a.k.a. VTB 24 PAO), d. 35 ul. Myasnitskaya, Moscow 101000, Russia; SWIFT/BIC CBGURUMM; Website www.vtb24.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739207462 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

30. BELOGLINSKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA BELOGLINSKI ELEVATOR; a.k.a. OAO 'BELOGLINSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'BELOGLINSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'BELOGLINSKI ELEVATOR'), 1 ul. Privokzalnaya S. Belaya Glina, Beloglinski Raion, Krasnodarski Kr. 353040, Russia; 1 Privokzalnaya Str., Belaya Glina Village, Leningradsky District, Krasnodar Region, Russia; Email Address belnep00@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022303499074; Tax ID No. 2326002180; Government Gazette Number 00940482; For more information on directives, please

visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

31. BM BANK PUBLIC JOINT STOCK COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO BM BANK; f.k.a. AKTSIONERNY KOMMERCHESKI BANK BANK MOSKVY OTKRYTOE AKTSIONERNOE OBSCHCHESTVO; f.k.a. BANK MOSKVY PAO; f.k.a. BANK OF MOSCOW; a.k.a. BM BANK AO; a.k.a. BM BANK JSC; f.k.a. JOINT STOCK COMMERCIAL BANK – BANK OF MOSCOW OPEN JOINT STOCK COMPANY; a.k.a. PAO BM BANK), Bld 3 8/15, Rozhdestvenka St., Moscow 107996, Russia; SWIFT/BIC MOSWRUMM; Website www.bm.ru; BIK (RU) 044525219; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Government Gazette Number 29292940 (Russia); Registration Number 1027700159497 (Russia); All offices worldwide; for more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

32. BM HOLDING AG (a.k.a. BM HOLDING LTD; a.k.a. BM HOLDING SA), C/O Treureva AG, Muhlebachstrasse 23, Zurich 8024, Switzerland; Chamerstrasse 172, P.O. Box, Zug CH-6300, Switzerland; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

33. BM PROEKT, OOO (a.k.a. BM PROJECT LLC; a.k.a. LIMITED LIABILITY COMPANY 'BM PROYEKT'; a.k.a. OBSHCHESTVO S ORGRANICHENNOI OTVETSTVENNOSTYU 'BM PROEKT'; a.k.a. OOO BM PROECKT; a.k.a. "LLC BM PROJECT"), 8/15, str. 3 ul. Rozhdestvenka, Moscow 107996, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 5117746015624 (Russia); Tax ID No. 7702777873 (Russia); Government Gazette Number 37319127 (Russia); For more information on directives, please visit the following link: https://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

34. BM-DIREKTSIYA, OOO (a.k.a. BM DIREKTSIYA LLC; a.k.a. LIMITED LIABILITY COMPANY 'BM-DIREKTSIYA'; a.k.a. OBSHCHESTVO S ORGANICHENNOI OTVETSTVENNOSTYU 'BM-DIREKTSIYA'; a.k.a. OOO 'BM-DIREKTSIYA'), 8/15 str. 3 ul. Rozhdestvenka, Moscow 107996, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746628185; Tax ID No. 7702768727; Government Gazette Number 30162881; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

35. BOM ASSET MANAGEMENT LTD, Arc. Makariou 2-4, Capital center, 9th floor, index 1065, Nicosia, Cyprus; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

36. BOM FINANCE LTD, 2nd Floor Vanterpool Plaza, Wickhams Cay 1, Road Town, Virgin Islands, British; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

37. BOM PROJECT FINANCING LTD (a.k.a. BOM PROJECT FINANCING LIMITED), 14th Floor, Papachristoforu Building, 32 Kritis Street, Limassol, Cyprus; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

38. BPO PECHATNIKI, OAO (a.k.a. OPEN JOINT STOCK COMPANY 'BUMAZHNO-POLIGRAFICHESKOYE OBYEDINENIYE 'PECHATNIKI'; a.k.a.

OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'BUMAZHNO-POLIGRAFICHESKOE OBEDINENIE 'PECHATNIKI'), d. 53, ul. Ryabinovaya, Moscow 121471, Russia; D. 4, Brodnikov Per., Moscow 119180, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1087746844240; Tax ID No. 7706694089; Government Gazette Number 87562873; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

39. OPEN JOINT STOCK COMPANY BPS-SBERBANK (Cyrillic: ОТКРЫТОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО СБЕР БАНК) (a.k.a. BPS SBERBANK OJSC; a.k.a. BPS-SBERBANK OAO (Cyrillic: ОАО СБЕР БАНК); a.k.a. SBER BANK), 6 Mulyavina Boulevard, Minsk 220005, Belarus; SWIFT/BIC BPSBBY2X; Website www.sber-bank.by; alt. Website www.bps-sberbank.by; Executive Order 13662 Directive Determination - Subject to Directive 1; alt. Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 100219673 (Belarus); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

40. BYLINNYE BOGATYRI LIMITED LIABILITY COMPANY (a.k.a. BYLINNYE BOGATYRI, OOO; a.k.a. LLC BYLINNYE BOGATYRI), 10 Presnenskaya Embankment, Moscow 123317, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

41. CENTREX EUROPE ENERGY AND GAS AG (a.k.a. CENTREX EUROPE ENERGY & GAS AG), Wiedner Hauptstrasse 17, Vienna 1040, Austria; Website

www.centrex.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID FN 230884k; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

42. SETELEM BANK LIMITED LIABILITY COMPANY (Cyrillic: ОБЩЕСТВО С ОГРАНИЧЕННОЙ ОТВЕТСТВЕННОСТЬЮ СЕТЕЛЕМ БАНК) (a.k.a. CETELEM BANK LIMITED LIABILITY COMPANY; a.k.a. CETELEM BANK LLC (Cyrillic: СЕТЕЛЕМ БАНК ООО); f.k.a. KOMMERCHESKI BANK UKRSIBBANK OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. SETELEM BANK OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU; a.k.a. SETELEM BANK OOO), 26 ul. Pravdy, Moscow 125124, Russia (Cyrillic: ул. Правды, д. 26, г. Москва 125124, Russia); SWIFT/BIC CETBRUMM; Website www.cetelem.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027739664260 (Russia); Tax ID No. 6452010742 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

43. CHERNOMORTRANSNEFT, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'CHERNOMORSKIE MAGISTRALNYE NEFTEPROVODY'; a.k.a. JSC ‘CHERNOMORTRANSNEFT’; a.k.a. OPEN JOINT-STOCK COMPANY ‘BLACK SEA OIL TRUNK PIPELINES’), ul. Sheskharis, Novorossisk, Krasnodarski Kr. 353911, Russia; Website www.nvr.transneft.ru; Email Address fogela@nvr.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022302384136 (Russia); Tax ID No. 2315072242 (Russia); Government Gazette Number 00139011 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

44. CJSC VANKORNEFT (a.k.a. VANKORNEFT; a.k.a. ZAO VANKORNEFT), Dobrovolcheskoy Brigady St., 15, Krasnoyarsk Territory 660077, Russia; Email Address info@vankoroil.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

45. CREDIT URAL BANK (a.k.a. BANK KUB AO; a.k.a. CREDIT URAL BANK JOINT-STOCK COMPANY; a.k.a. KREDIT URAL BANK OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. "KUB OAO"), Street Gagarina 17, Magnitogorsk 455044, Russia; SWIFT/BIC CRDURU4C; Website www.creditural.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027400000638; Tax ID No. 7414006722; All offices worldwide; for more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

46. CROSSPLANET LTD, 196/Themistokli Dervi, 3 Julia House, Nicosia 1066, Cyprus; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

47. DALTRANSGAZ, OAO (a.k.a. DALTRANSGAZ; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'DALTRANSGAZ'), d. 1 ul. Solnechnaya S. Ilinka, Khabarovski Raion Khabarovski krai 680509, Russia; Website www.daltransgaz.ru; Email Address A.Podojjnicyna@khb.gtt.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1032700295650; Tax ID No. 6500000930; Government Gazette Number 54545960; For more information on directives, please visit the

following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

48. DEVELOPMENT CORPORATION OF NORTH CAUCASUS OJSC (f.k.a. KRSK, OAO; a.k.a. OJSC NORTH CAUCASUS DEVELOPMENT CORPORATION; a.k.a. OPEN JOINT-STOCK COMPANY NORTH CAUCASUS DEVELOPMENT CORPORATION; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KORPORATSIYA RAZVITIYA SEVERNOGO KAVKAZA), d. 139 ul. Pyatigorskaya Essentuki, Stavropolski krai 357625, Russia; Website krskfo.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1102632003253; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

49. DRUZHBA, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'DRUZHBA'; a.k.a. DRUZHBA), Rogozinino, Moscow 143397, Russia; Website en.imperialhotel.ru; Email Address drugba@t50.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025003747317; Tax ID No. 5030019801; Government Gazette Number 31850347; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

50. DSD, OOO (a.k.a. LIMITED LIABILITY COMPANY ‘FAR EAST CONSTRUCTION DIRECTION’; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'DALNEVOSTOCHNAYA STROITELNAYA DIREKTSIYA'; a.k.a. "LLC ‘DSD’"), 163 ul. Volochaevskaya, Khabarovsk, Khabarovski Kr. 680000, Russia; Website dsdvsto.ru; Email Address dsd-it@dsd.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1092724004581 (Russia); Government Gazette Number 60668690 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

51. RUSSIAN AGENCY FOR EXPORT CREDIT AND INVESTMENT INSURANCE OJSC (a.k.a. EKSAR OAO; a.k.a. EXIAR; a.k.a. EXIAR JSC; a.k.a. EXIAR OJSC; a.k.a. ROSSISKOE AGENTSTVO PO STRAKHOVANIYU EKSPORTNYKH KREDITOV I INVESTITSI OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. RUSSIAN AGENCY FOR EXPORT CREDIT AND INVESTMENT INSURANCE JSC), nab. Krasnopresnenskaya d. 12, Moscow 123610, Russia; Website exiar.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 13 Oct 2011; Target Type Government Entity; Tax ID No. 7704792651 (Russia); Registration Number 1117746811566 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

52. EXIMBANK OF RUSSIA JSC (a.k.a. AO ROSEKSIMBANK (Cyrillic: АО РОСЭКСИМБАНК); a.k.a. EXIMBANK OF RUSSIA; a.k.a. EXIMBANK OF RUSSIA ZAO; a.k.a. GOSUDARSTVENNY SPETSIALIZIROVANNY ROSSISKI EKSPORTNO-IMPORTNY BANK (ZAKRYTOE AKTSIONERNOE OBSHCHESTVO); a.k.a. ROSEKSIMBANK, ZAO; a.k.a. RUSSIAN EXPORT-IMPORT BANK; a.k.a. STATE SPECIALIZED RUSSIAN EXPORT-IMPORT BANK JOINT-STOCK COMPANY (Cyrillic: ГОСУДАРСТВЕННЫЙ СПЕЦИАЛИЗИРОВАННЫЙ РОССИЙСКИЙ ЭКСПОРТНО-ИМПОРТНЫЙ БАНК АКЦИОНЕРНОЕ ОБЩЕСТВО)), 12 Krasnopresnenskaya Embankments, Moscow 123610, Russia; SWIFT/BIC EXIRRUMM; Website eximbank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 24 May 1994; Target Type Financial Institution; Tax ID No. 7704001959 (Russia); Legal Entity Number 253400HA6URWT39X2982; Registration Number 1027739109133 (Russia); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

53. EYANSKI ELEVATOR, OAO (a.k.a. OPEN JOINT STOCK COMPANY 'EYANSKI ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO

'EYANSKI ELEVATOR'; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA EYANSKI ELEVATOR), 29 ul. Grigoreva Stanitsa Novopokrovskaya, Novopokrovski Raion, Krasnodarski Kr. 353020, Russia; 29 Grigorieva Str., Novopokrovskaya Village, Novopokrovskiy District, Krasnodar Region, Russia; Email Address eya_silo@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304420478; Tax ID No. 2344003814; Government Gazette Number 00940588; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

54. JSC VEB.DV (a.k.a. AO VEB.DV; f.k.a. FAR EAST AND BAIKAL REGION DEVELOPMENT FUND OJSC; f.k.a. JSC FAR EAST AND ARCTIC REGION DEVELOPMENT FUND; f.k.a. OJSC THE FAR EAST AND BAIKAL REGION DEVELOPMENT FUND), Nab. Presnenskaya D. 10, pom II komn 8-59, Moscow 123112, Russia; Website fondvostok.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 2721188289 (Russia); Registration Number 1112721010995 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

55. FEDERAL CENTER FOR PROJECT FINANCE (a.k.a. FTSPF, OAO; a.k.a. OAO FEDERALNY TSENTR PROEKTNOGO FINANSIROVANIYA; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO FEDERALNY CENTR PROEKTNOGO FINANSIROVANIYA; a.k.a. "FCPF"), d. 14 prospekt Olimpiski, Moscow 129090, Russia; Website fcpf.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1027739088410; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

56. FINANSOVY ASSISTENT CJSC (a.k.a. CJSC 'FINANSOVY ASSISTANT'; a.k.a. ZAO 'FINANSOVY ASSISTANT'), d. 4/10 str. 1 ul. Sadovaya-Triumphalnaya, Moscow, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

57. GAZ-OIL, OOO (a.k.a. GAZ-OIL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZ-OIL'; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO GAZ OIL), d. 10 B ul. Nametkina, Moscow 117420, Russia; Website gasoil.ru; Email Address i.blagodarov@gasoil.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1113926004422; Tax ID No. 3906229324; Government Gazette Number 22876655; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

58. GAZKARDSERVIS OOO (a.k.a. LIMITED LIABILITY COMPANY GAZKARDSERVIS), Obrucheva Street, Building 27, Corpus 2, Moscow 117630, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739027634; Tax ID No. 7724199506; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

59. GAZMASH, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'GAZMASH'; f.k.a. DOCHERNEE OTKRYTOE AKTSIONERNOE OBSHCHESTVO GAZMASH OTKRYTOGO AKTSIONERNOGO OBSHCHESTVA GAZPROM; a.k.a. GAZMASH), d. 54 korp. 1 litera A pomeshch prospekt Primorski, St. Petersburg 197374, Russia; Website www.gasmash.ru; Email Address asg@gasmash.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700008390; Tax ID No. 7709014944; Government Gazette Number 13265740; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

60. GAZPROM DOBYCHA IRKUTSK, OOO (a.k.a. GAZPROM DOBYCHA IRKUTSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA IRKUTSK'; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO IRKUTSKGAZPROM), d. 14 ul. Nizhnyaya Naberezhnaya, Irkutsk, Irkutskaya obl 664011, Russia; Website Irkutsk-dobycha.gazprom.ru; Email Address mail@irkgazprom.irk.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1073812008731; Tax ID No. 3812100646; Government Gazette Number 53371127; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

61. GAZPROM DOBYCHA KRASNODAR, OOO (a.k.a. GAZPROM DOBYCHA KRASNODAR; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA KRASNODAR'), d. 53 ul. Shosse Neftyanikov, Krasnodar, Krasnodarski krai 350051, Russia; Website www.gazkuban.ru; Email Address adm@kuban.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022301190471; Tax ID No. 2308065678; Government Gazette Number 00153784; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

62. GAZPROM DOBYCHA KUZNETSK, OOO (a.k.a. GAZPROM DOBYCHA KUZNETSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA KUZNETSK'), d. 4 prospekt Oktyabrski, Kemerovo, Kemerovskaya obl 650066, Russia; Website kuznetsk-dobycha.gazprom.ru; Email Address GPKKUZNETSK@MAIL.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1024201465551; Tax ID No. 4216000032; Government Gazette Number 26624330; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

63. GAZPROM DOBYCHA NADYM, OOO (a.k.a. GAZPROM DOBYCHA NADYM; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA NADYM'), d. 1 ul. Zvereva, Nadym, Yamalo-Nenetski a.o. 629730, Russia; Website nadymdobycha.gazprom.ru; Email Address MANAGER@ONGP.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028900578080; Tax ID No. 8903019871; Government Gazette Number 00153761; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

64. GAZPROM DOBYCHA NOYABRSK, OOO (a.k.a. GAZPROM DOBYCHA NOYABRSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA NOYABRSK'), d. 20 ul. Respubliki, Noyabrsk, Yamalo-Nenetski a.o. 629802, Russia; Website noyabrsk-dobycha.gazprom.ru; Email Address NGD@NGD.GASPROM.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028900706647; Tax ID No. 8905026850; Government Gazette Number 05751797; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

65. GAZPROM DOBYCHA URENGOI, OOO (a.k.a. GAZPROM DOBYCHA URENGOY; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA URENGOI'), d. 8 ul. Zheleznodorozhnaya, Novy Urengoi, Yamalo-Nenetski a.o. 629307, Russia; Website urengoy-dobycha.gazprom.ru; Email Address s.v.mazanov@gd-urengoy.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028900628932; Tax ID No. 8904034784; Government Gazette Number 05751745; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

66. GAZPROM DOBYCHA YAMBURG, OOO (a.k.a. GAZPROM DOBYCHA YAMBURG; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM DOBYCHA YAMBURG'), d. 9 ul. Geologorazvedchikov, Novy Urengoi, Yamalo-Nenetski a.o 629306, Russia; Website yamburg-dobycha.gazprom.ru; Email Address PRIYEMNAYA@YGDU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028900624576; Tax ID No. 8904034777; Government Gazette Number 04803457; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

67. GAZPROM ENERGO, OOO (a.k.a. GAZPROM ENERGO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM ENERGO'), 8 Korp. 1 ul. Stroitelei, Moscow 117939, Russia; Website gazpromenergo.gazprom.ru; Email Address info@adm.energo.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739841370; Tax ID No. 7736186950; Government Gazette Number 18584757; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

68. GAZPROM FLOT, OOO (a.k.a. GAZPROM FLOT; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU GAZFLOT; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM FLOT'), d. 12 A ul. Nametkina, Moscow 117420, Russia; Website flot.gazprom.ru; Email Address denisenko@gazflot.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700198635; Tax ID No. 7740000037; Government Gazette Number 40025139; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

69. GAZPROM GAZNADZOR, OOO (a.k.a. GAZPROM GAZNADZOR; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM GAZNADZOR'), 41 str. 1 prospekt Vernadskogo, Moscow 119415, Russia; Website gaznadzor.gazprom.ru; Email Address artemyeva@gaznadzor.gazprom.ru; Executive

Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700528019; Tax ID No. 7740000051; Government Gazette Number 05030626; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

70. GAZPROM GAZOBEZOPASNOST, OOO (a.k.a. GAZPROM GAZOBEZOPASNOST; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM GAZOBEZOPASNOST'), d. 8 korp. 1 ul. Stroitelei, Moscow 119311, Russia; Website gazbez.ru; Email Address g.rybanova@gazbez.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025000658187; Tax ID No. 5003028148; Government Gazette Number 23484472; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

71. GAZPROM GEOLOGORAZVEDKA, OOO (a.k.a. GAZPROM GEOLOGORAZVEDKA; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU GAZPROM DOBYCHA KRASNOYARSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM GEOLOGORAZVEDKA'), d. 70 ul. Gertsena, Tyumen, Tyumenskaya obl. 625000, Russia; Website geologorazvedka.gazprom.ru; Email Address a.davydov@ggr.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1042401809560; Tax ID No. 2460066149; Government Gazette Number 75782730; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

72. GAZPROM INFORM, OOO (a.k.a. GAZPROM INFORM; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM INFORM'; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO INFORMGAZINVEST), d. 13 str. 3 ul. Bolshaya Cheremushkinskaya, Moscow 117447, Russia; Website inform.gazprom.ru; Email Address d.g.kozlov@inform.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209;

Registration ID 1097746469303; Tax ID No. 7727696104; Government Gazette Number 49880231; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

73. GAZPROM INVEST, OOO (a.k.a. GAZPROM INVEST; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM INVEST'), d. 6 litera D ul. Startovaya, St. Petersburg 196210, Russia; Website zapad-invest.gazprom.ru; Email Address izelentsov@zapad-invest.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077847507759; Tax ID No. 7810483334; Government Gazette Number 82129203; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

74. GAZPROM KAPITAL, OOO (a.k.a. GAZPROM KAPITAL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM KAPITAL'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KAP INFIN), Sosenskoe Pos, Pos. Gazoprovod, D. 101 Korp. 9, Moscow 142770, Russia; Website gazpromcapital.ru; Email Address info.gazprom_capital@adm.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1087746212388; Tax ID No. 7726588547; Government Gazette Number 84813628; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

75. GAZPROM KOMPLEKTATSIYA, OOO (a.k.a. GAZPROM KOMPLEKTATSIYA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM KOMPLEKTATSIYA'), 8 Korp. 1 ul. Stroitelei, Moscow 119991, Russia; Website komplektatsiya.gazprom.ru; Email Address gki@gki.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700501113; Tax ID No. 7740000044; Government Gazette Number 05030632; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

76. GAZPROM MEDIA HOLDING (a.k.a. JOINT-STOCK COMPANY GAZPROM-MEDIA HOLDING; a.k.a. JSC GAZPROM-MEDIA HOLDING), Rochdelskaya street building 20, Moscow 123022, Russia; Krasnopresnenskaia nab. 12, CMT2, Porch 7, Floor 10, Moscow 123610, Russia; Profsoyuznaya Street, Building 125A, Moscow 117647, Russia; Website www.gazprom-media.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 5087746018960; Tax ID No. 7728668727; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

77. GAZPROM MEZHREGIONGAZ, OOO (a.k.a. GAZPROM MEZHREGIONGAZ; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM MEZHREGIONGAZ'), d. 24 korp. LITER A nab. Admirala Lazareva, St. Petersburg 197110, Russia; Website mrg.gazprom.ru; Email Address k.seleznev@mrg.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025000653930; Tax ID No. 5003021311; Government Gazette Number 45138919; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

78. GAZPROM PERERABOTKA, OOO (a.k.a. GAZPROM PERERABOTKA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM PERERABOTKA'), d. 16 ul. Ostrovskogo, Surgut, Khanty-Mansiski Avtonomny okrug - Yugra a.o. 628417, Russia; Website pererabotka.gazprom.ru; Email Address GPP@GPP.GAZPROM.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1071102001651; Tax ID No. 1102054991; Government Gazette Number 97152834; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

79. GAZPROM PERSONAL, OOO (a.k.a. GAZPROM PERSONAL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM

PERSONAL'), 16, Gsp-7 ul. Nametkina, Moscow 117997, Russia; Email Address a.malushitsky@podzemgazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 5117746041860; Tax ID No. 7728794168; Government Gazette Number 38223286; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

80. GAZPROM PROMGAZ, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'GAZPROM PROMGAZ'; a.k.a. GAZPROM PROMGAZ; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO GAZPROM PROMGAZ), d. 6 ul. Nametkina, Moscow 117420, Russia; Website oao-promgaz.ru; Email Address A.Solomko@promgaz.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700174061; Tax ID No. 7734034550; Government Gazette Number 00158847; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

81. GAZPROM RUSSKAYA, OOO (a.k.a. GAZPROM RUSSKAYA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM RUSSKAYA'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KOVYKTNEFTEGAZ), 3 korp.2 ul. Varshavskaya, St. Petersburg 196128, Russia; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1023801016887; Tax ID No. 3808069915; Government Gazette Number 55567892; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

82. GAZPROM SOTSINVEST, OOO (a.k.a. GAZPROM SOTSINVEST; f.k.a. GAZPROMINVESTARENA OOO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM SOTSINVEST'), d. 20 litera A nab. Aptekarskaya, St. Petersburg 197022, Russia; Website sotsinvest.gazprom.ru; Email Address Y.Gagarinskiy@gpia.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037700253470; Tax ID No. 7736077414; Government Gazette Number 11453584; For more information

on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

83. GAZPROM SVYAZ, OOO (a.k.a. GAZPROM SVYAZ; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM SVYAZ'), d. 16 ul. Nametkina, Moscow 117997, Russia; Website gazsvyaz.ru; Email Address a.nosonov@gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739411457; Tax ID No. 7740000020; Government Gazette Number 04695507; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

84. GAZPROM TELEKOM, OOO (a.k.a. GAZPROM TELECOM; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TELEKOM'; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO GAZTELEKOM), d. 62 str. 2 shosse Starokaluzhskoe, Moscow 117630, Russia; Website www.gaztelecom.ru; Email Address b.motenko@gazpromtelecom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1137746329962; Tax ID No. 7728840569; Government Gazette Number 42934136; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

85. GAZPROM TRANSGAZ KAZAN, OOO (a.k.a. GAZPROM TRANSGAZ KAZAN; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ KAZAN'), d. 41 ul. Adelya Kutuya, Kazan, Tatarstan resp 420073, Russia; Website kazan-tr.gazprom.ru; Email Address Vlads@TTG.bancorp.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021603624921; Tax ID No. 1600000036; Government Gazette Number 00154364; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

86. GAZPROM TRANSGAZ KRASNODAR, OOO (a.k.a. GAZPROM TRANSGAZ KRASNODAR; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ KRASNODAR'), d. 36 ul. Im Dzerzhinskogo, Krasnodar, Krasnodarski krai 350051, Russia; Website Krasnodar-tr.gazprom.ru; Email Address d.matutin@tgk.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1072308003063; Tax ID No. 2308128945; Government Gazette Number 80169546; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

87. GAZPROM TRANSGAZ MAKHACHKALA, OOO (a.k.a. GAZPROM TRANSGAZ MAKHACHKALA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ MAKHACHKALA; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU GAZPROM TRANSGAZ MAKHACHKALA), ul. O. Bulacha, Makhachkala, Dagestan resp. 367030, Russia; Website Makhachkala-tr.gazprom.ru; Email Address emirbekov@dgp.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1020502628486; Tax ID No. 0500000136; Government Gazette Number 12824367; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

88. GAZPROM TRANSGAZ NIZHNI NOVGOROD, OOO (a.k.a. GAZPROM TRANSGAZ NIZHNY NOVGOROD; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ NIZHNI NOVGOROD'), d. 11 ul. Zvezdinka, Nizhni Novgorod, Nizhegorodskaya obl. 603950, Russia; Website n-novgorod-tr.gazprom.ru; Email Address ceo@vtg.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025203016332; Tax ID No. 5260080007; Government Gazette Number 04864329; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

89. GAZPROM TRANSGAZ SAMARA, OOO (a.k.a. GAZPROM TRANSGAZ SAMARA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ SAMARA'), d. 106 A str. 1 ul. Novo-Sadovaya, Samara, Samarskaya obl. 443068, Russia; Website samara-tr.gazprom.ru; Email Address oppt@samaratransgaz.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026300956505; Tax ID No. 6315000291; Government Gazette Number 00154306; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

90. GAZPROM TRANSGAZ SANKT-PETERBURG, OOO (a.k.a. GAZPROM TRANSGAZ SAINT PETERSBURG; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ SANKT-PETERBURG'), 3 korp. 2 ul. Varshavskaya, St. Petersburg 196128, Russia; Website www.spb-tr.gazprom.ru; Email Address gfokin@spb.ltg.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027804862755; Tax ID No. 7805018099; Government Gazette Number 00154312; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

91. GAZPROM TRANSGAZ SARATOV, OOO (a.k.a. GAZPROM TRANSGAZ SARATOV; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ SARATOV'), d. 118 A prospekt Im 50 Let Oktyabrya, Saratov, Saratovskaya obl. 410052, Russia; Website Saratov-tr.gazprom.ru; Email Address SECR@UTG.GAZPROM.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026403049815; Tax ID No. 6453010110; Government Gazette Number 04863554; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

92. GAZPROM TRANSGAZ STAVROPOL, OOO (a.k.a. GAZPROM TRANSGAZ STAVROPOL; a.k.a. OBSHCHESTVO S OGRANICHENNOI

OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ STAVROPOL'), d. 6 prospekt Oktyabrskoi Revolyutsii, Stavropol, Stavropolski krai 355000, Russia; Website Stavropol-tr.gazprom.ru; Email Address ooo@ktg.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022601940613; Tax ID No. 2636032629; Government Gazette Number 04864447; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

93. GAZPROM TRANSGAZ SURGUT, OOO (a.k.a. GAZPROM TRANSGAZ SURGUT; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ SURGUT'), d. 1 ul. Universitetskaya, Surgut, Khanty-Mansiski Avtonomny okrug - Yugra a.o. 628406, Russia; Website Surgut-tr.gazprom.ru; Email Address TELEGRAF@SURGUT.GAZPROM.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028601679314; Tax ID No. 8617002073; Government Gazette Number 05015124; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

94. GAZPROM TRANSGAZ TOMSK, OOO (a.k.a. GAZPROM TRANSGAZ TOMSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ TOMSK'), d. 9 prospekt Frunze, Tomsk, Tomskaya obl. 634029, Russia; Website tomsk-tr.gazprom.ru; Email Address A.rays@tlru.gtt.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027000862954; Tax ID No. 7017005289; Government Gazette Number 04634954; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

95. GAZPROM TRANSGAZ UFA, OOO (a.k.a. GAZPROM TRANSGAZ UFA; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU BASHTRANSGAZ OTKRYTOGO AKTSIONERNOGO OBSHCHESTVA GAZPROM; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ UFA'), 59 ul. Rikharda Zorge,

Ufa, Bashkortostan resp. 450054, Russia; Website ufa-tr.gazprom.ru; Email Address info@bashtg.gazp; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1020202861821; Tax ID No. 0276053659; Government Gazette Number 00154358; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

96. GAZPROM TRANSGAZ UKHTA, OOO (a.k.a. GAZPROM TRANSGAZ UKHTA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ UKHTA'), d. 39/2 prospekt Lenina, Ukhta, Komi resp 169312, Russia; Website ukhta-tr.gazprom.ru; Email Address azaharov@sgp.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021100731190; Tax ID No. 1102024468; Government Gazette Number 00159025; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

97. GAZPROM TRANSGAZ VOLGOGRAD, OOO (a.k.a. GAZPROM TRANSGAZ VOLGOGRAD; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ VOLGOGRAD'), 58 ul. Raboche-Krestyanskaya, Volgograd, Volgogradskaya obl. 400074, Russia; Website Volgograd-tr.gazprom.ru; Email Address VTG@GASPROM.RU; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1023403849182; Tax ID No. 3445042160; Government Gazette Number 00154281; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

98. GAZPROM TRANSGAZ YUGORSK, OOO (a.k.a. GAZPROM TRANSGAZ YUGORSK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TRANSGAZ YUGORSK'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU TYUMENTRANSGAZ), d. 15 ul. Mira, Yugorsk, Khanty-Mansiski Avtonomny okrug, Yugra a.o. 628260, Russia; Website www.gazprom-transgaz-yugorsk.ru; Email Address KANS1@TTG.GAZPROM.RU; Executive Order 13662 Directive

Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028601843918; Tax ID No. 8622000931; Government Gazette Number 00154223; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

99. GAZPROM TSENTRREMONT, OOO (a.k.a. GAZPROM TSENTRREMONT; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'GAZPROM TSENTRREMONT'), d. 1 ul. Moskovskaya, Shchelkovo, Moskovskaya obl 141112, Russia; Website centrremont.gazprom.ru; Email Address I.Suvorova@gcr.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1085050006766; Tax ID No. 5050073540; Government Gazette Number 86732184; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

100. GAZPROM VNIIGAZ, OOO (a.k.a. GAZPROM VNIIGAZ; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NAUCHNO-ISSLEDOVATELSKI INSTITUT PRIRODNYKH GAZOV I GAZOVYKH TEKHNOLOGI - GAZPROM VNIIGAZ'), P Razvilka, Leninski Raion, Moskovskaya obl. 142717, Russia; Website www.vniigaz.ru; Email Address adm@vniigaz.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025000651598; Tax ID No. 5003028155; Government Gazette Number 31323949; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

101. GAZPROMBANK (SWITZERLAND) LTD, Zollikerstrasse 183, Zurich 8008, Switzerland; Zollikerstrasse 183, Zurich 8032, Switzerland; SWIFT/BIC RKBZCHZZ; Website www.gazprombank.ch; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; All offices worldwide; for more information on directives, please visit the following link: https://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

102. GAZPROMBANK LATIN AMERICA VENTURES BV, Dijsselhofplantsoen 14, Amsterdam, Noord-Holland 1077, Netherlands; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 52285421; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

103. GAZPROMBANK LEASING ZAO (a.k.a. CLOSED JOINT-STOCK COMPANY GAZPROMBANK LIZING), Proektiruyemiy proezd No 4062, building 6, structure 16, BTs 'Port Plaza', Moscow 115432, Russia; D. 40 Ulitsa Miklukho-Maklaya, Moscow 117342, Russia; Website www.gpbl.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037728033606; Tax ID No. 7728294503; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

104. GAZPROMBANK JOINT STOCK COMPANY (Cyrillic: ГАЗПРОМБАНК АКЦИОНЕРНОЕ ОБЩЕСТВО) (a.k.a. BANK GPB JSC; a.k.a. GAZPROMBANK AO; f.k.a. GAZPROMBANK OPEN JOINT STOCK COMPANY; f.k.a. JOINT STOCK BANK OF THE GAS INDUSTRY GAZPROMBANK), 16 Nametkina Street, Bldg. 1, Moscow 117420, Russia; SWIFT/BIC GAZPRUMM; Website www.gazprombank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 31 Jul 1990; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7744001497 (Russia); Government Gazette Number 09807684 (Russia);

Registration Number 1027700167110 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

105. GAZPROMBANK UPRAVLENIE AKTIVAMI (a.k.a. CLOSED JOINT-STOCK COMPANY GAZPROMBANK-UPRAVLENIE AKTIVAMI; a.k.a. GAZPROMBANK ASSET MANAGEMENT ZAO), 63 Novocheremushkinskaya Street, Moscow 117418, Russia; Koroviy val., building 7, Moscow 119049, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047796382920; Tax ID No. 7722515837; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

106. GIPROTRUBOPROVOD, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'INSTITUT PO PROEKTIROVANIYU MAGISTRALNYKH TRUBOPROVODOV'; a.k.a. OJSC 'GIPROTRUBOPROVOD'; a.k.a. OPEN JOINT-STOCK COMPANY 'INSTITUTE ON PLANNING OF OIL TRUNK PIPELINES'), d. 24 korp. 1 ul. Vavilova, Moscow 119334, Russia; Website www.gtp.transneft.ru; Email Address agafontsevaa@gtp.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700002660 (Russia); Tax ID No. 7710022410 (Russia); Government Gazette Number 00148406 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

107. GLOBEXBANK (a.k.a. AKTSIONERNOE OBSHCHESTVO KOMMERCHESKI BANK GLOBEKS; f.k.a. CJSC GLOBEXBANK; a.k.a. GLOBEKSBANK, AO; a.k.a. GLOBEX COMMERCIAL BANK, JOINT STOCK COMPANY; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO KOMMERCHESKI BANK GLOBEKS), d. 59 str. 2 ul. Zemlyanoi Val, Moscow 109004, Russia; SWIFT/BIC GLOBRUMM; Website globexbank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1027739326010; All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

108. GPB FINANCIAL SERVICES LIMITED, Arianthi Court, 2nd floor, 50 Agias Zonis Street, Limassol 3090, Cyprus; Agios Athanasios, 46, Interlink Hermes Plaza, Floor 1, Limassol 4102, Cyprus; Website www.gpbfs.com.cy; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID HE 246301; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

109. GPB GLOBAL RESOURCES BV, Dijsselhofplantsoen 14, Amsterdam 1077 BL, Netherlands; Website www.gpb-gr.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 53240162; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

110. GPB INTERNATIONAL SA, 8-10, rue Mathias Hardt, Luxembourg 1717, Luxembourg; Website http://www.gazprombank.ru/eng/group/banks/299515/; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID B178974; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

111. GPB INVEST OOO (a.k.a. LIMITED LIABILITY COMPANY GAZPROMBANK-INVEST), Yakimanka B. Street, Building 39, Moscow 119049, Russia; 27-29/1, building 6, Smolenskaya-Sennaya st., Moscow 119121, Russia; Website www.gpbi.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037602004483; Tax ID No. 7612031791; For more information on directives, please visit the following link: https://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

112. GPB-DI HOLDINGS LIMITED (a.k.a. SIRITIA VENTURES LTD), 1 Lampousas, Nicosia 1095, Cyprus; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID HE 145737; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

113. GPB-FACTORING OOO (a.k.a. LIMITED LIABILITY COMPANY GPB-FAKTORING), 63 Novocheremushkinskaya Street, Moscow 117418, Russia; Leninskiy prospect, building 15A, Moscow 119071, Russia; Website www.gazprombankfactoring.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746158629; Tax ID No. 7727712331; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

114. GPB-MORTGAGE JSC (a.k.a. GPB-IPOTEKA OAO, AB; a.k.a. JOINT-STOCK BANK GPB-MORTGAGE CLOSED JOINT STOCK COMPANY), D. 14 Pr Kolomenski, Moscow 115446, Russia; Website www.gpb-ipoteka.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739137843; Tax ID No. 7727057683; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

115. IZ KARTEKS OOO (a.k.a. IZ-KARTEX NAMED AFTER P.G. KOROBKOV LTD), Izhorskiy Zavod B/N, Kolpino, Saint-Petersburg 196650, Russia; Izhorskiy Zavod, d. b/n, Kolpino, Saint-Petersburg 196651, Russia; Website http://iz-kartex.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047855158780; Tax ID No. 7817301375; For more information on directives, please visit the following link:

https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

116. IZHORSKIYE ZAVODY OAO (a.k.a. OPEN JOINT STOCK COMPANY IZHORSKIE ZAVODY), Izhorskiy Zavod B/N, Kolpino, Saint-Petersburg 196650, Russia; Izhorskiy Zavod, d. b/n, Kolpino, Saint-Petersburg 196651, Russia; Website http://omz-izhora.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027808749121; Tax ID No. 7817005295; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

117. JOINT STOCK COMPANY HALS-DEVELOPMENT (a.k.a. GALS-DEVELOPMENT, OAO; a.k.a. HALS DEVELOPMENT OJSC; a.k.a. HALS-DEVELOPMENT JSC; a.k.a. HALS-DEVELOPMENT, OJSC; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO GALS DEVELOPMENT; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO SISTEMA HALS), d. 35 str. 4 ul. Tatarskaya B, Moscow 115184, Russia; Website www.hals-development.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739002510 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

118. JOINT STOCK COMMERCIAL BANK NOVIKOMBANK (Cyrillic: АКЦИОНЕРНЫЙ КОММЕРЧЕСКИЙ БАНК НОВИКОМБАНК АКЦИОНЕРНОЕ ОБЩЕСТВО) (a.k.a. AKTSIONERNY KOMMERCHESKI BANK NOVIKOMBANK AKTSIONERNOE OBSHCHESTVO; a.k.a. AO AKB NOVIKOMBANK (Cyrillic: АО АКБ НОВИКОМБАНК); a.k.a. JOINT STOCK COMMERCIAL BANK NOVIKOMBANK JOINT STOCK COMPANY; f.k.a. NOVIKOMBANK AO; a.k.a. NOVIKOMBANK JCSB), bld.1,Polyanka Bolshaya str. 50/1, Moscow 119180, Russia (Cyrillic: ул. Полянка Большая, д. 50/1, стр. 1, Москва 119180, Russia); SWIFT/BIC CNOVRUMM; Website http://www.novikom.ru; BIK (RU) 044583162; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 1993; Registration ID 1027739075891; Tax ID No. 7706196340;

Government Gazette Number 17541272; All offices worldwide. For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

119. JOINT STOCK COMPANY SBERBANK (a.k.a. AKTSIONERNE TOVARYSTVO SBERBANK; a.k.a. JSC SBERBANK; a.k.a. JSC SBERBANK OF RUSSIA; a.k.a. PUBLICHNE AKTSIONERNE TOVARYSTVO DOCHIRNII BANK SBERBANKU ROSII; f.k.a. SBERBANK OF RUSSIA SUBSIDIARY BANK PRIVATE JOINT STOCK COMPANY; a.k.a. SBERBANK OF RUSSIA SUBSIDIARY BANK PUBLIC JOINT STOCK COMPANY; a.k.a. SUBSIDIARY BANK SBERBANK OF RUSSIA PUBLIC JOINT STOCK COMPANY), 46 Volodymyrska street, Kyiv 01601, Ukraine; 46 Vladimirskaya St, Kyiv 01601, Ukraine; SWIFT/BIC SABRUAUK; Website www.sberbank.ua; alt. Website sbrf.com.ua; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 25959784 (Ukraine); Tax ID No. 259597826652 (Ukraine); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

120. JOINT STOCK COMPANY SBERBANK AUTOMATED TRADE SYSTEM (a.k.a. JOINT STOCK COMPANY SBERBANK-AUTOMATED SYSTEM FOR TRADING; a.k.a. JSC SBERBANK-AUTOMATED SYSTEM FOR TRADING; a.k.a. SBERBANK-AST JSC; a.k.a. SBERBANK-AST ZAO; a.k.a. SBERBANK-AUTOMATED TRADING SYSTEM CLOSED JOINT STOCK COMPANY; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO SBERBANK AVTOMATIZIROVANNAYA SISTEMA TORGOV), d. 24 str. 2 ul. Novoslobodskaya, Moscow 127055, Russia; 12 B. Savvinsky Lane, building 9, floor 1, office 1, room 1, Moscow 119435, Russia; Website www.sberbank-ast.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information

on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027707000441 (Russia); Tax ID No. 7707308480 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

121. KALININGRADNEFTEPRODUKT OOO (a.k.a. KALININGRADNEFTEPRODUKT LLC; a.k.a. LIMITED LIABILITY COMPANY KALININGRADNEFTEPRODUCT; a.k.a. LLC KALININGRADNEFTEPRODUCT), 22-b Komsomolskaya Ulitsa, Central District, Kaliningrad, Russia; Email Address knp@baltnet.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1023900589240 (Russia); Tax ID No. 3900000136 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

122. KAMCHATGAZPROM, OAO (a.k.a. KAMCHATGAZPROM; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'KAMCHATGAZPROM'), d. 19 ul. Pogranichnaya, Petropavlovsk-Kamchatski, Kamchatski krai 683032, Russia; Website gazprom.kamchatka.ru; Email Address novikova@gazprom.kamchatka.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1024101219966; Tax ID No. 4105023034; Government Gazette Number 10870044; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

123. KHOMYAKOVSKI KHLADOKOMBINAT, ZAO (a.k.a. CLOSED JOINT STOCK COMPANY 'HOMIAKOVSKIY COLD STORAGE COMPLEX'; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO ‘KHOMYAKOVSKI KHLADOKOMBINAT’; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO KHOMYAKOVSKI KHLADOKOMBINAT), 16V ul. Khomyakovskaya Pos. Khomyakova, Tula, Tulskaya Obl. 300098, Russia; 16 Homiakovskaya Str.,

Homiakovo, Tula, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047100123586; Government Gazette Number 59192911; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

124. KINEF OOO (a.k.a. KINEF, LLC; a.k.a. LIMITED LIABILITY COMPANY PRODUCTION ASSOCIATION KIRISHINEFTEORGSINTEZ; a.k.a. LLC KINEF), d. 1 Shosse Entuziastov, Kirishi, Leningradskaya Oblast 187110, Russia; Website http://www.kinef.ru; Email Address kinef@kinef.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1024701478735 (Russia); Tax ID No. 4708007089 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

125. KIRISHIAVTOSERVIS OOO (a.k.a. LIMITED LIABILITY COMPANY KIRISHIAVTOSERVIS; a.k.a. LLC KIRISHIAVTOSERVIS), Lit A, 12 Smolenskaya Ulitsa, St. Petersburg 196084, Russia; Website www.kirishiavtoservis.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1057807804064 (Russia); Tax ID No. 7840016802 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

126. KONTSERN AVIAPRIBOROSTROENIE OAO (a.k.a. AIRCRAFT ENGINEERING CONCERN OPEN JOINT STOCK COMPANY; a.k.a. "OPEN JOINT-STOCK COMPANY KONTSERN AVIAPRIBOROSTROYENIYE"), Per. Aviatsionniy, D. 5, Moscow 125319, Russia; Website http://www.oao-aps.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7704729515; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

127. KONTSERN ORION OAO (a.k.a. OPEN JOINT-STOCK COMPANY KONTSERN ORION; a.k.a. ORION CONCERN OPEN JOINT STOCK COMPANY), Street Malaya Pirogovskaya, D. 18, Bldg. 1, Moscow 119435, Russia; Website http://www.concern-orion.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7704731673; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

128. KONTSERN SIRIUS OAO (a.k.a. CONCERN SIRIUS JOINT STOCK COMPANY; a.k.a. JSC SIRIUS), str. 1 18 Malaya Pirogovskaya ul., Moscow 119435, Russia; Website http://con-sirius.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746424368; Tax ID No. 7704730655; Government Gazette Number 62668197; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

129. KORUS CONSULTING CIS LIMITED LIABILITY COMPANY (a.k.a. KORUS KONSALTING SNG, OOO; a.k.a. LLL KORUS CONSULTING CIS; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KORUS KONSALTING SNG), 68 Sampsonievsky Avenue, letter N, Room 1N, Saint Petersburg 194100, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1057812752502 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

130. KRASLESINVEST CJSC (a.k.a. CJSC KRASLESINVEST; a.k.a. KRASLESINVEST, ZAO; a.k.a. THE CLOSED JOINT-STOCK COMPANY KRASLESINVEST; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO KRASLESINVEST), d. 35 A ul. Partizana Zheleznyaka, Krasnoyarsk, Krasnoyarski krai 660022, Russia; Website kraslesinvest.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1082468004574; For more information on directives, please visit the

following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

131. KRASNOYARSKGAZPROM, PAO (a.k.a. KRASNOYARSKGAZPROM; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO 'KRASNOYARSKGAZPROM'), d. 1 pl. Akademika Kurchatova, Moscow 123182, Russia; Website www.kgazprom.ru; Email Address lukyanchikov@kgazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022401804820; Tax ID No. 2460040655; Government Gazette Number 52290094; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

132. KRIOGENMASH OAO (a.k.a. CRYOGENMASH; a.k.a. OPEN JOINT-STOCK COMPANY KRIOGENNOGO MASHINOSTROYENIA), 67, Lenin Avenue, Balashikha, Moscow Region 143907, Russia; 36 Lenina Prospekt, Balashikha G. 143907, Russia; Website www.cryogenmash.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025000513878; Tax ID No. 5001000066; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

133. KRYLOVSKI ELEVATOR, OAO (a.k.a. OAO 'KRYLOVSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'KRYLOVSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'KRYLOVSKI ELVATOR'; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA KRYLOVSKI ELEVATOR), 1 ul. Krasnogvardeiskaya Stanitsa Oktyabrskaya, Krylovski Raion, Krasnodarski Kr. 352085, Russia; 1 Krasnogvardeiskaya Str., Oktiabrskaya Village, Krylovski District, Krasnodar Region, Russia; Email Address klv_el@ibox.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304103678; Tax ID No. 2338003767; Government Gazette Number 26982360; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

134. LADOZHSKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA LADOZHSKI ELEVATOR; a.k.a. OAO 'LADOZHSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'LADOGSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'LADOZHSKI ELEVATOR'), 115 ul. Konshinykh Stanitsa Ladozhskaya, Ust-Labinski Raion, Krasnodarski Kr. 352320, Russia; 115 Konshinykh Str., Ladogskaya Village, Ust-Labinskiy District, Krasnodar Region, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304972029; Tax ID No. 2356007563; Government Gazette Number 26370125; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

135. LAZURNAYA, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'LAZURNAYA'; a.k.a. "LAZURNAYA"), d. 103 prospekt Kurortny, Sochi, Krasnodarski krai 354024, Russia; Website www.lazurnaya.ru; Email Address res@lazurnaya.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1132367004989; Tax ID No. 2319070831; Government Gazette Number 10077966; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

136. LENGIPRONEFTEKHIM OOO (a.k.a. INSTITUT PO PROEKTIROVANIYU PREDPRIYATY NEFTEPERERABATYVAYUSCHEY I NEFTEKHIMICHESKOY PROMYSHLENNOSTI, LIMITED LIABILITY COMPANY; a.k.a. LIMITED LIABILITY COMPANY OIL REFINING AND PETROCHEMICAL FACILITIES DESIGN INSTITUTE; a.k.a. LLC LENGIPRONEFTEKHIM), D. 94, Obvodnogo Kanala, nab, St. Petersburg 196084, Russia; Email Address lgnch@lgnch.spb.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1057803105755 (Russia); Tax ID No. 7810327462 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-

Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

137. LESPROMPROTSESSING, ZAO (a.k.a. CJSC LESPROMPROCESSING; a.k.a. CLOSED JOINT-STOCK COMPANY 'LESPROMPROCESSING'; a.k.a. LESPROMPROCESSING CJSC; f.k.a. LIKVIDATSIONNAYA KOMISSIYA ZAO 'LESPROMPROTSESSING' (RESHENIE O LIKVIDATSII I O LIKVIDATORE)), d. 13 str. 2 per. Bolshoi Sukharevski, Moscow 127051, Russia; B. Sucharevsky per, 13 str. 2, 21, Moscow, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077764064905 (Russia); Government Gazette Number 84130506; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

138. LLC BALTECH (a.k.a. BALTECH LLC; a.k.a. OOO 'BALTECH'), Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW)..

139. LLC SOVREMENNYE TECHNOLOGII (a.k.a. MODERN TECHNOLOGIES LIMITED LIABILITY COMPANY; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU SOVREMENNYE TEKHNOLOGII; a.k.a. SOVREMENNYE TEKHNOLOGII, OOO), 12a Korp. 1str 6 Pr 2-I Yuzhnoportovy, Moscow 115432, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037708040468 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

140. LUKOIL OAO (a.k.a. LUKOIL; a.k.a. LUKOIL OIL COMPANY; a.k.a. NEFTYANAYA KOMPANIYA LUKOIL OOO; a.k.a. NK LUKOIL OAO), 11 Sretenski boulevard, Moscow 101000, Russia; Website www.lukoil.ru; Email Address info@lukoil.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions

Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700035769; Tax ID No. 7708004767; Government Gazette Number 00044434; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

141. MALOROSSISKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA MALOROSSISKI ELEVATOR RUS; a.k.a. OPEN JOINT STOCK COMPANY 'MALOROSSIYSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'MALOROSSISKI ELEVATOR'), 1 ul. Sadovaya Stanitsa Arkhangelskaya, Tikhoretski Raion, Krasnodarski Kr. 352118, Russia; 1 Sadovaya Str., Arkhangelskaya Village, Tikhoretskiy District, Krasnodar Region, Russia; Email Address 72307@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304872754; Tax ID No. 2354003059; Government Gazette Number 00940708; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

142. MEDIA-INVEST OOO (a.k.a. LIMITED LIABILITY COMPANY MEDIA-INVEST; a.k.a. LLC MEDIA-INVEST), 17, Bld 1, Zubovsky Boulevard, Moscow 119847, Russia; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077762407580 (Russia); Tax ID No. 7704667322 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

143. MEZHDUNARODNAYA UPRAVLYAYUSHCHAYA KOMPANIYA, AO (f.k.a. AKTSIONERNOE OBSHCHESTVO MEZHDUNARODNAYA UPRAVLYAYUSHCHAYA KOMPANIYA; a.k.a. AKTSIONERNOE OBSHCHESTVO 'MEZHDUNARODNAYA UPRAVLYAYUSHCHAYA KOMPANIYA'; a.k.a. INTERNATIONAL MANAGEMENT COMPANY OJSC; a.k.a. JOINT STOCK COMPANY 'MEZHDUNARODNAYA UPRAVLYAYUSHCHAYA KOMPANIYA'; a.k.a. OJSC INTERNATIONAL MANAGEMENT COMPANY), d. 13/2 ul. Begovaya, Moscow 125284, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027714019772 (Russia); Tax ID No. 7714283773

(Russia); Government Gazette Number 59709936 (Russia); For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

144. MULTICARTA (a.k.a. MULTICARTA, LTD; a.k.a. MULTIKARTA, OOO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU MULTIKARTA), d. 43 korp. 1 ul. Vorontsovskaya, Moscow 109147, Russia; Website www.multicarta.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739116404 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

145. MZ MAYAK OAO (a.k.a. MASHINOSTROITELNIY ZAVOD MAYAK; a.k.a. MAYAK MACHINE BUILDING PLANT OPEN JOINT STOCK COMPANY; a.k.a. OPEN JOINT-STOCK COMPANY MASHINOSTROITELNIY ZAVOD MAYAK), Street Ibragimova, D. 31, Moscow 105318, Russia; Website http://www.mzmayak.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7719024042; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

146. NAGELFAR TRADE AND INVEST LIMITED (a.k.a. NAGELFAR TRADE & INVEST LIMITED), Trident Chambers, Road Town, PO Box 146, Tortola, Virgin Islands, British; Agias Zonis, 50, Arianthi Court, 2nd floor, Limassol 3090, Cyprus; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

147. NEFT-AKTIV LLC (a.k.a. OOO NEFT-AKTIV; a.k.a. RN-AKTIV OOO), Ulica Kaluzhskaya M., d., 15, str. 28, Moscow 119071, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662

Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

148. NEW FINANCIAL TECHNOLOGIES OOO (a.k.a. CLOSED JOINT-STOCK COMPANY NOVYE FINANSOVYE TEKHNOLOGII; a.k.a. ZAO NOVYE FINANSOVYE TEKHNOLOGII), Vavilova Street, Building 52, Corpus 2, Moscow 117296, Russia; Yaroslavskaya Street, Building 50, Room 208, Uglich, Yaroslav Oblast 152610, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739195692; Tax ID No. 7736144212; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

149. NIIGAZEKONOMIKA, OOO (a.k.a. NIIGAZECONOMIKA; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NAUCHNOISSLEDOVATELSKI INSTITUT EKONOMIKI I ORGANIZATSII UPRAVLENIYA V GAZOVOIPROMYSHLENNOSTI'), d. 20 korp. 8 ul. Staraya Basmannaya, Moscow 107066, Russia; Website niigazeconomika.gazprom.ru; Email Address econmg@gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739345842; Tax ID No. 7701022125; Government Gazette Number 47588503; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

150. JOINT STOCK COMPANY SBERBANK PRIVATE PENSION FUND (a.k.a. CJSC NON-STATE PENSION FUND OF SBERBANK; f.k.a. NEGOSUDARSTVENNY PENSIONNY FOND SBERBANKA; a.k.a. NPF SBERBANKA ZAO; a.k.a. SBERBANK PPF JSC; a.k.a. SBERBANK PRIVATE PENSION FUND CLOSED JOINT STOCK COMPANY; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO NEGOSUDARSTVENNY PENSIONNY FOND SBERBANKA), d. 31 G ul. Shabolovka, Moscow 115162, Russia; Website www.npfsberbanka.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201

and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147799009160 (Russia); Tax ID No. 7725352740 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

151. NOVATEK SEVERO-ZAPAD, OOO (a.k.a. LIMITED LIABILITY COMPANY 'NOVATEK NORTH-WEST'; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK SEVERO-ZAPAD'; a.k.a. OOO NOVATEK SEVERO-ZAPAD), d. 7 Litera A ul. Paradnaya, St. Petersburg 191014, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 5067847486229 (Russia); Government Gazette Number 96782616 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

152. NOVATEK-CHELYABINSK, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK- CHELYABINSK'; a.k.a. OOO NOVATEK-CHELYABINSK; f.k.a. YAMALGAZRESURS-CHELYABINSK OOO), 42 prospekt Lenina, Chelyabinsk, Chelyabinskaya Obl. 454091, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107404003376; Tax ID No. 7404056114; Government Gazette Number 68628371; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

153. NOVATEK-KOSTROMA, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-KOSTROMA'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU KOSTROMSKAYA REGIONALNAYA KOMPANIYA PO REALIZATSII GAZA; a.k.a. OOO NOVATEK-KOSTROMA), 37 ul. Lesnaya, Kostroma, Kostromskaya Obl. 156005, Russia; Website http://www.kostroma.novatek.ru/; Email Address p.marchenko@gas-

kostroma.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1024400511794; Tax ID No. 4401017834; Government Gazette Number 50101120; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

154. NOVATEK-PERM, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-PERM'; a.k.a. OOO 'NOVATEK-PERM'), 41 ul. Petropavlovskaya, Perm, Permski Kr. 614000, Russia; Email Address info@perm.novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1105904008297; Tax ID No. 5904230529; Government Gazette Number 65136070; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

155. NOVATEK-PUROVSKI ZPK, OOO (f.k.a. NOVA ZPK OOO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-PUROVSKI ZPK'; a.k.a. OOO NOVATEK-PUROVSKY ZPK), D. Limbei, Purovski Raion, Yamalo-Nenetski Okr. 629880, Russia; Email Address comon@zpk.novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1048900851515; Tax ID No. 8911020197; Government Gazette Number 73157577; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

156. NOVATEK-TARKOSALENEFTEGAZ, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-TARKOSALENEFTEGAZ'; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU PUR LEND; a.k.a. OOO NOVATEK-TARKOSALENEFTGAS), 28 ul. Tarasova, Tarko-Sale, Purovski Raion, Yamalo-Nentski Okr. 629850, Russia; Email Address global@tsng.novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1058901201920; Tax ID No. 8911020768; Government Gazette Number 33589611; For more information on directives, please visit the

following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

157. NOVATEK-TRANSERVIS, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-TRANSERVIS'; a.k.a. OOO NOVATEK-TRANSERVICE), D. Limbei, Purovski Raion, Yamalo-Nenetski Okr. 629880, Russia; Email Address novatek-ts@ts.novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1036301402576; Tax ID No. 6330024410; Government Gazette Number 14563310; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

158. NOVATEK-UST-LUGA, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-UST-LUGA'; a.k.a. OOO 'NOVATEK-UST-LUGA'), 5 ul. Shkolnaya D. Vistino, Kingiseppski Raion, Leningradskaya Obl. 188477, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1074707002457; Tax ID No. 4707026057; Government Gazette Number 80675261; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

159. NOVATEK-YARSALENEFTEGAZ, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'NOVATEK-YARSALENEFTEGAZ'), 9 ul. Respubliki, Salekhard, Yamalo-Nenetski Okr., Russia; Email Address v.solovyh@novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1138901001194; Tax ID No. 8901028126; Government Gazette Number 27013953; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

160. NOVGORODNEFTEPRODUKT OOO (a.k.a. LIMITED LIABILITY COMPANY NOVGORODNEFTEPRODUCT; a.k.a. LLC NOVGORODNEFTEPRODUCT;

a.k.a. NOVGORODNEFTEPRODUKT LLC), d. 20 Germana Ulitsa, Veliky Novgorod, Novgorodskaya Oblast 173002, Russia; Email Address office@nnp.surgutneftegas.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025300788644 (Russia); Tax ID No. 5321059365 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

161. NPF TRANSNEFT, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'NEGOSUDARSTVENNY PENSIONNY FOND 'TRANSNEFT'), d. 5/7 str. 2, 3 ul. Shchipok, Moscow 115054, Russia; Website npf-transneft.ru; Email Address mail@npf-transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1157700011017 (Russia); Tax ID No. 9705044356 (Russia); Government Gazette Number 54769346 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

162. NPF VTB PENSION FUND JOINT STOCK COMPANY (a.k.a. AKTSIONERNOE OBSHCHESTVO NEGOSUDARSTVENNY PENSIONNY FOND VTB PENSIONNY FOND; f.k.a. NEKOMMERCHESKAYA ORGANIZATSIYA NEGOSUDARSTVENNY PENSIONNY FOND VTB PENSIONNY FOND; a.k.a. NONPROFIT ORGANIZATION NON-STATE PENSION FUND VTB PENSION FUND; a.k.a. NON-STATE PENSION FUND VTB PENSION FUND, JSC; a.k.a. NPF VTB PENSION FUND JSC; a.k.a. NPF VTB PENSIONNY FOND, AO), d. 43 str. 1 ul. Vorontsovskaya, Moscow 109147, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 1147799014692 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

163. OAO NOVATEK (a.k.a. FINANSOVO-INVESTITSIONNAYA KOMPANIYA NOVAFININVEST OAO; a.k.a. NOVATEK), 2, Udaltsova Street, Moscow 119415,

Russia; 22 A, Pobedy Street, Tarko-Sale, Yamalo-Nenets Autonomous District 629580, Russia; 22a Pobedy ul., Tarko-Sale, Purovski raion, Tyumenskaya Oblast 629850, Russia; Email Address novatek@novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026303117642 (Russia); Government Gazette Number 33556474 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

164. OBEDINENNAYA DVIGATELESTROITELNAYA KORPORATSIYA OAO (f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO UPRAVLYAYUSHCHAYA KOMPANIYA OBEDINENNAYA DVIGATELESTROITELNAYA KORPORATSIYA; a.k.a. UNITED ENGINE CORPORATION JSC; a.k.a. "ODK OAO"), 16 Budennogo prospekt, Moscow 105118, Russia; Website www.uk-odk.ru; Email Address info@uecrus.com; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746081717; Tax ID No. 7731644035; Government Gazette Number 84023868; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

165. OBIEDINENNAYA PROMYSHLENNAYA KORPORATSIYA OBORONPROM OAO (a.k.a. OPK OBORONPROM; a.k.a. OPK OBORONPROM OAO; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO OBEDINENNAYA PROMYSHLENNAYA KORPORATSIYA OBORONPROM; a.k.a. UNITED INDUSTRIAL CORPORATION OBORONPROM OJSC; a.k.a. UNITED INDUSTRIAL DEFENCE CORPORATION OBORONPROM), str. 141 29 Vereiskaya ul., Moscow 121357, Russia; Website www.oboronprom.com; Email Address oboronprom@oboronprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027718000221; Tax ID No. 7718218951; Government Gazette Number 59067382; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

166. OBSCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU PROMINVEST (a.k.a. PROMINVEST LIMITED LIABILITY COMPANY; a.k.a. PROMINVEST, OOO), 2-4-6, str. 14 per. Bolshoi Savvinski, Moscow 119435, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739228857; Tax ID No. 7705422452; Government Gazette Number 58127923; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

167. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU RT-ENERGOEFFEKTIVNOST (a.k.a. RT-ENERGO LLC; a.k.a. RT-ENERGO, OOO; a.k.a. RT-ENERGOEFFEKTIVNOST LIMITED LIABILITY COMPANY; a.k.a. RT-ENERGY EFFICIENCY LIMITED LIABILITY COMPANY), d. 1 A ul. Udaltsova, Moscow 119415, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1107746755258; Tax ID No. 7729663922; Government Gazette Number 68072726; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

168. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU RT-INFORM (a.k.a. RT-INFORM; a.k.a. RT-INFORM LIMITED LIABILITY COMPANY; a.k.a. RT-INFORM, OOO), d. 1 pomeshchenie 1000 ul. Universitetskayap, Innopolis, Verkhneuslonski Raion, Tatarstan resp. 420500, Russia; Website http://www.rtinform.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1127746501190; Tax ID No. 7704810710; Government Gazette Number 09911571; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

169. OJSC ACHINSK REFINERY (a.k.a. ACHINSK REFINERY; a.k.a. OAO ACHINSK OIL REFINERY VNK), Achinsk Refinery industrial area, Bolsheuluisky district, Krasnoyarsk territory 662110, Russia; Email Address sekr1@anpz.rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201

and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

170. OJSC ANGARSK PETROCHEMICAL COMPANY (a.k.a. ANGARSK REFINERY), Angarsk, Irkutsk region 665830, Russia; 6 ul. K. Marksa, Angarsk 665830, Russia; Website www.anhk.ru; Email Address delo@anhk.rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

171. PUBLIC JOINT STOCK COMPANY GAZPROM NEFT (a.k.a. GAZPROM NEFT PAO; a.k.a. GAZPROM NEFT PJSC; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO GAZPROM NEFT), 5, Let. A, Galernaya, Saint Petersburg 190000, Russia; d. 3-5 litera A Ch. Pom. 1N kab. 2401, ul. Pochtamtskaya, St. Petersburg 190000, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 5504036333 (Russia); Government Gazette Number 42045241 (Russia); Registration Number 1025501701686 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

172. OJSC KUYBYSHEV REFINERY (a.k.a. KUIBYSHEV REFINERY; a.k.a. OJSC KUIBYSHEV REFINERY), 25 Groznenskaya st., Samara 443004, Russia; Email

Address sekr@knpz.rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

173. OJSC NOVOKUYBYSHEV REFINERY (a.k.a. NOVOKUIBYSHEVSK REFINERY), Novokuibyshevsk, Samara region 446207, Russia; Email Address sekr@nknpz.rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

174. OJSC ORENBURGNEFT (a.k.a. OAO JSC ORENBURGNEFT; a.k.a. ORENBURGNEFT), Magistralnaya St., 2, Buzuluk, the Orenburg Region 461040, Russia; st. Magistralnaya 2, Buzuluk 461040, Russia; Email Address orenburgneft@rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

175. OJSC RN HOLDING (a.k.a. RN HOLDING OAO), 60 Oktyabrskaya ul., Uvat 626170, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047200153770 (Russia); Tax ID No. 7225004092 (Russia); Government Gazette Number 74743120 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

176. OJSC RUSSIAN REGIONAL DEVELOPMENT BANK (a.k.a. RUSSIAN REGIONAL DEVELOPMENT BANK; a.k.a. "VBRR"), 65/1 Suschevsky Val, Moscow 129594, Russia; 65 Sushchevskiy val, Moscow 129594, Russia; Website www.vbrr.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 3287 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

177. OJSC SAMOTLORNEFTEGAZ (a.k.a. SAMOTLORNEFTEGAZ; a.k.a. SAMOTLORNEFTEGAZ JSC), Lenina St. 4, the Tyumen Region, Khanty-Mansiysk, Autonomous District, Nizhnevartovsk 628606, Russia; Email Address NVSNGinfo@rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

178. OJSC SYZRAN REFINERY (a.k.a. OPEN JOINT-STOCK OIL AND GAS COMPANY SYZRAN; a.k.a. SYZRAN REFINERY), 1 Astrakhanskaya st., Syzran, Samara region 446009, Russia; Moskvorechje street 105, Building 8, Moscow 115523, Russia; Email Address sekr@snpz.rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

179. OMZ OAO (a.k.a. OBYEDINYONNYE MASHINOSTROITELNYE ZAVODY (GRUPPA URALMASH-IZHORA)), Bld. 20, Ovchinnikovskaya Emb., Moscow 115035, Russia; 24 Timura Frunze Street, Moscow 119021, Russia; Website www.omz.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026605610800; Tax ID No. 6663059899; For more information on directives, please visit the following link:

https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

180. OMZ SPETSSTAL OOO (a.k.a. LIMITED LIABILITY COMPANY OMZ-SPETSSTAL; a.k.a. OMZ-SPECIAL STEELS), Kolpino G, Izhorski Zavod, St. Petersburg 196651, Russia; Izhorskiy Zavod, Kolpino, Saint Petersburg 196650, Russia; Website www.omz-specialsteel.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026605609348; Tax ID No. 6673089388; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

181. OOO PS YANDEX.MONEY (a.k.a. LLC PS YANDEX.MONEY; a.k.a. PS YANDEKS.DENGI OOO), 16 Lva Tolstogo ul., Moscow 119021, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077746365113 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

182. OPEN JOINT STOCK COMPANY CHAYKA (a.k.a. CHAIKA OJSC; a.k.a. OAO CHAIKA; a.k.a. PJSC CHAIKA), Russia; Turchaninov Per., D. 3, BLDG 1, G., Moscow 119034, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7704021200 (Russia); For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

183. PUBLIC JOINT STOCK COMPANY GAZPROM (a.k.a. GAZPROM; a.k.a. GAZPROM PAO; a.k.a. PJSC GAZPROM), 2/3 Lakhtinsky Avenue, Bldg. 1, St. Petersburg, Russia 197229, Russia; BOX 1255, St. Petersburg 190900, Russia; 156A Moskovsky Avenue, St. Petersburg, Russia; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the

following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7736050003 (Russia); Government Gazette Number 00040778 (Russia); Registration Number 1027700070518 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

184. OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY (a.k.a. OAO ROSNEFT OIL COMPANY; a.k.a. OIL COMPANY ROSNEFT; a.k.a. OJSC ROSNEFT OIL COMPANY; a.k.a. ROSNEFT; a.k.a. ROSNEFT OIL COMPANY), 26/1 Sofiyskaya Embankment, Moscow 115035, Russia; Website www.rosneft.com; alt. Website www.rosneft.ru; Email Address postman@rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700043502 (Russia); Tax ID No. 7706107510 (Russia); Government Gazette Number 00044428 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

185. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KALINOVSKI KHIMICHESKI ZAVOD (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA KALINOVSKI KHIMICHEKI ZAVOD; a.k.a. KALINOVO CHEMICAL PLANT OPEN JOINT STOCK COMPANY; a.k.a. OPEN JOINT-STOCK COMPANY KALINOVSKIY KHIMICHESKIY ZAVOD; a.k.a. "KKHZ, OAO"), d. 8 ul. Lenina P Kalinovo, Nevyanski Raion, Sverdlovskaya obl. 624186, Russia; Website http://www.kcplant.ru/; Email Address kcp@uraltc.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026601326597; Tax ID No. 6621001262; Government Gazette Number 07511005; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

186. OTKRYTOE AKTSIONERNOE OBSHCHESTVO KONTSERN AVIATSIONNOE OBORUDOVANIE (a.k.a. AVIATION EQUIPMENT CONCERN OPEN JOINT STOCK COMPANY; a.k.a. AVIATION EQUIPMENT HOLDING; a.k.a. JOINT STOCK COMPANY CONCERN OF AVIATION EQUIPMENT; a.k.a. KONTSERN AVIATSIONNOE OBORUDOVANIE, OAO), 29, korp.31 ul. Ibragimova, Moscow 105318, Russia; 29/31 Ibragimova Street, Moscow 105318, Russia; Website www.avia-equipment.ru; Email Address mailbox@avia-equipment.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746108250; Tax ID No. 7704722326; Government Gazette Number 60427973; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

187. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NAUCHNO-PROIZVODSTVENNOE OBEDINENIE SPLAV (a.k.a. NPO SPLAV, OAO; a.k.a. OPEN JOINT-STOCK COMPANY NAUCHNO-PROIZVODSTVENNOYE OBYEDINENIYE SPLAV; a.k.a. OPEN JOINT-STOCK COMPANY SPLAV STATE AND RESEARCH PRODUCTION ASSOCIATION; a.k.a. SPLAV SCIENTIFIC PRODUCTION ASSOCIATION OPEN JOINT STOCK COMPANY), d. 33 ul. Shcheglovskaya Zaseka, Tula, Tulskaya obl. 300004, Russia; Website http://splav.org; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1127154020311; Tax ID No. 7105515987; Government Gazette Number 07504301; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

188. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NOVO-VYATKA (a.k.a. NOVO VYATKA OPEN JOINT STOCK COMPANY; a.k.a. NOVO-VYATKA, OAO; a.k.a. OPEN JOINT STOCK COMPANY NOVO-VYATKA), d. 51 korp. 2 ul. Sovetskaya, Kirov, Kirovskaya obl. 610008, Russia; Street Sovetskaya, d. 51, Bldg. 2, Kirov 61008, Russia; Website http://www.nmz.ru; Email Address nmz@nmz.kirov.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1034316578680; Tax ID No. 4345029946; Government Gazette Number 49616818; For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

189. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NOVOSIBIRSKOE PROIZVODSTVENNOE OBEDINENIE LUCH (f.k.a. FEDERALNOE GOSUDARSTVENNOE UNITARNOE PREDPRIYATIE NOVOSIBIRSKOE PROIZVODSTVENNOE OB EDINENIE LUCH; a.k.a. JOINT STOCK COMPANY NOVOSIBIRSK PRODUCTION AMALGAMATION LUCH; a.k.a. NPO LUCH, OAO), 32 ul. Stantsionnaya, Novosibirsk, Novosibirskaya obl. 630108, Russia; Email Address it@luch-nsk.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1115476080610; Tax ID No. 5404441240; Government Gazette Number 07517605; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

190. OTKRYTOE AKTSIONERNOE OBSHCHESTVO NOVOVYATSKI MEKHANICHESKI ZAVOD (a.k.a. NOVOVYATSKI MEKHANICHESKI ZAVOD OAO; a.k.a. OPEN JOINT STOCK COMPANY NOVOVYATSK MECHANICAL PLANT; a.k.a. OPEN JOINT-STOCK COMPANY NOVOVYATSKIY MEKHANICHESKIY ZAVOD; f.k.a. "NMZ OAO"; a.k.a. "NMZ OJSC"), d. 51 ul. Sovetskaya, Kirov, Kirovskaya obl. 610008, Russia; Email Address nmz@nmz.kirov.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1034316578702; Tax ID No. 4345029953; Government Gazette Number 07501403; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

191. JSC NPO HIGH PRECISION SYSTEMS (Cyrillic: АО НПО ВЫСОКОТОЧНЫЕ КОМПЛЕКСЫ) (a.k.a. AKTSIONERNOE OBSHCHESTVO NPO VYSOKOTOCHNYE KOMPLEKSY; a.k.a. HIGH PRECISION WEAPONS JOINT STOCK COMPANY SCIENTIFIC PRODUCTION ASSOCIATION; a.k.a. JSC NPO VYSOKOTOCHNYE KOMPLEKSY; a.k.a. NPO VYSOKOTOCHNYE KOMPLEKSY, AO), 21 str. 1, bulvar Gogolevski, Moscow 119019, Russia; 7 Kievskaya Str., Moscow 121059, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 12 Feb 2009; Registration ID 1097746068012 (Russia); Tax ID No.

7704721192 (Russia); Government Gazette Number 60390527 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

192. OTKRYTOE AKTSIONERNOE OBSHCHESTVO RT-STANKOINSTRUMENT (a.k.a. OJSC STANKOINSTRUMENT; a.k.a. OPEN JOINT STOCK COMPANY RT-STANKOINSTRUMENT; a.k.a. RT-STANKOINSTRUMENT; a.k.a. RT-STANKOINSTRUMENT, OAO), d. 65 str. 1 ul. Gilyarovskogo, Moscow 107996, Russia; Website http://www.rt-stanko.ru/; Email Address n.dobrynina@rt-stanko.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1097746559020; Tax ID No. 7702715348; Government Gazette Number 62826319; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: ROSTEC).

193. OTKRYTOE AKTSIONERNOE OBSHCHESTVO TEKHNOLOGII BEZOPASNOSTI (a.k.a. JOINT STOCK COMPANY SECURITY TECHNOLOGIES; a.k.a. TEKHNOLOGII BEZOPASNOSTI, OAO; a.k.a. "SECURITY TECHNOLOGIES"), d. 24 ul. Usacheva, Moscow 119048, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1137746355405; Tax ID No. 7704833788; Government Gazette Number 17434335; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

194. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VNESHNEEKONOMICHESKOE OBEDINENIE STANKOIMPORT (a.k.a. OPEN JOINT-STOCK COMPANY FOREIGN TRADE ENTERPRISE STANKOIMPORT; a.k.a. STANKOIMPORT FOREIGN TRADE ASSOCIATION OPEN JOINT STOCK COMPANY; a.k.a. VO STANKOIMPORT OJSC; a.k.a. VO STANKOIMPORT, OAO), d. 34/63 ul. Obrucheva, Moscow 117342, Russia; Website www.vostankoimport.ru; Email Address info@stankoimport.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047728029051; Tax ID No. 7728309982; Government

Gazette Number 00225271; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

195. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VNESHNEEKONOMICHESKOE OBEDINENIE TEKHNOPROMEKSPORT (a.k.a. JOINT STOCK COMPANY FOREIGN ECONOMIC ASSOCIATION TECHNOPROMEXPORT; a.k.a. OJSC TECHNOPROMEXPORT; a.k.a. TECHNOPROMEXPORT FOREIGN ECONOMIC ASSOCIATION OPEN JOINT STOCK COMPANY; a.k.a. TECHNOPROMEXPORT OJSC; a.k.a. VO TEKHNOPROMEKSPORT, OAO; a.k.a. "JSC TPE"), d. 15 str. 2 ul. Novy Arbat, Moscow 119019, Russia; Website http://www.tpe.ru; Email Address inform@tpe.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1067746244026; Tax ID No. 7705713236; Government Gazette Number 02839043; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: ROSTEC).

196. PJSC VERKHNECHONSKNEFTEGAZ (a.k.a. OJSC VERKHNECHONSKNEFTEGAZ; a.k.a. VERKHNECHONSKNEFTEGAZ), Baikalskaya St., 295 B, Irkutsk 664050, Russia; Email Address vcng@rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

197. PJSC VTB BANK (KIEV) (a.k.a. PUBLICHNE AKTSIONERNE TOVARYSTVO VTB BANK; a.k.a. PUBLIC-JOINT STOCK COMPANY VTB BANK (UKRAINE); a.k.a. VTB BANK, PJSC; a.k.a. VTB BANK, PJSC (UKRAINE); a.k.a. VTB BANK, PUBLIC JOINT STOCK COMPANY), 8/26, Shevchenka boulevard/Pushkinska street, Kyiv 01004, Ukraine; 8/26 Pushkinskaya str/Shevchenko bulvr, Kiev 01004, Ukraine; SWIFT/BIC VTBRUAUK; Website www.vtb.com.ua; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Government Gazette Number 14359319 (Ukraine); For more information on

directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

198. PO URALENERGOMONTAZH ZAO (a.k.a. AO PROIZVODSTVENNOE OBYEDINENIE 'URALENERGOMONTAZH'; a.k.a. "PO UEM JSC"), D. 11 B Kv. 93, Prospekt Kosmonavtov, Ekaterinburg 620017, Russia; Stroibaza, Dobryanka 618740, Russia; 7, Liter A, K 4, Ul. Turbinnaya, Ekaterinburg 620017, Russia; 1a Ul. Vladivostokskaya, Ufa 450078, Russia; Stroibaza Sugres, R-Nvodoka, Per. Tikhi, Verkhnyaya Pyshma 624070, Russia; Rp Reftinski, A/Ya 1, Asbest 624285, Russia; Baes A/Ya 7, Zarechny 624051, Russia; 50, A, Ul. Transportnikov, Berezovski 623703, Russia; Transportnikov Street, Building 50 a, Berezovskiy 623704, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026602949163; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

199. PROMINVESTBANK (a.k.a. COMMERCIAL INDUSTRIAL AND INVESTMENT BANK PUBLIC JOINT STOCK COMPANY; a.k.a. JOINT STOCK COMMERCIAL INDUSTRIAL AND INVESTMENT BANK PUBLIC JOINT STOCK COMPANY; a.k.a. PSC PROMINVESTBANK; a.k.a. PUBLIC STOCK COMPANY JOINT STOCK COMMERCIAL INDUSTRIAL AND INVESTMENT BANK), 12, Shevchenko lane, Kyiv 01001, Ukraine; SWIFT/BIC UPIBUAUX; Website pib.ua; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 26 Aug 1992; Target Type Financial Institution; Registration Number 00039002 (Ukraine); All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

200. PSKOVNEFTEPRODUKT OOO (a.k.a. LIMITED LIABILITY COMPANY MARKETING ASSOCIATION PSKOVNEFTEPRODUCT; a.k.a. LLC PSKOVNEFTEPRODUCT), 4 Oktyabrsky Prospekt, Pskov 180000, Russia; Website http://www.pskovnefteprodukt.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk:

Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026000970049 (Russia); Tax ID No. 6027042337 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

201. RASSVET, OAO (a.k.a. OAO 'RASSVET'; a.k.a. OPEN JOINT STOCK COMPANY 'RASSVET'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'RASSVET'; f.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO RASSVET), D. Retyum, Luzhski Raion, Leningradskaya Obl. 188230, Russia; Retiun Village, Lujskiy District, Leningrad Region, Russia; Website www.emitent-spb.ru; Email Address lugarassvet@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1024701557726; Tax ID No. 4710004180; Government Gazette Number 00547371; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

202. LLC INFRASTRUCTURE MOLZHANINOVO (Cyrillic: ООО ИНФРАСТРУКТУРА МОЛЖАНИНОВО) (a.k.a. INFRASTRUKTURA MOLZHANINOVO; f.k.a. LLC RESAD (Cyrillic: ООО РЕСАД); f.k.a. RESAD LLC), ul. Bryanskaya D. 5, et 4 pom. I kom 25, Moscow 121059, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7733109347 (Russia); Registration Number 1027739071337 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

203. RIELTSITI, OOO (a.k.a. LIMITED LIABILITY COMPANY 'RIELTSITI'; a.k.a. OBSHCHESTVO S GRANICHENNOI OTVETSTVENNOSTYU 'RIELTSITI'; a.k.a. OOO 'REALTCITY'; a.k.a. "REALTCITY LLC"; a.k.a. "REALT-CITY LLC"), d. 9, str. 5 ul. Krasnoproletarskaya, Moscow 127030, Russia; Per Uglovoy, D. 2, ETAZH 10, Room 22, Room 3, Moscow 127055, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration

ID 1127746617008 (Russia); Tax ID No. 7707782490; Government Gazette Number 11365058; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

204. RN-KOMSOMOLSKY REFINERY LLC (a.k.a. KOMSOMOLSK REFINERY; a.k.a. LLC RN-KOMSOMOLSK REFINERY; a.k.a. RN-KOMSOMOLSKI NPZ OOO), 115 Leningradskaya st., Komsomolsk-on-Amur, Khabarovsk region 681007, Russia; Email Address knpz@rosneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

205. RN-YUGANSKNEFTEGAZ LLC (a.k.a. RN-YUGANSKNEFTEGAZ OOO; a.k.a. YUGANSKNEFTEGAZ), Lenina St., 26, Nefteyugansk, Tyumen Region 628309, Russia; Email Address rn_yng@yungjsc.com; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

206. ROSE GROUP LIMITED (f.k.a. RGI INTERNATIONAL; f.k.a. RGI INTERNATIONAL LIMITED; a.k.a. "ROSE GROUP"), Frances House, Sir William Place, St. Peter Port GY1 4EU, Guernsey; Korobeinikov Lane, 1, Moscow 119034, Russia; Website rosegroup.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

207. ROSNEFT FINANCE S.A., 46A Avenue John F Kennedy, 2nd Floor, Luxembourg 1855, Luxembourg; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

208. ROSNEFT TRADE LIMITED (f.k.a. TNK TRADE LIMITED), Elenion Building 5 Themistokli Dervi, 2nd floor, Lefkosia, Nicosia 1066, Cyprus; Email Address hrm@rosneft-sh.com.cy; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID C122790; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OPEN JOINT-STOCK COMPANY ROSNEFT OIL COMPANY).

209. ROSSISKAYA ELEKTRONIKA OAO (a.k.a. JSC RUSELECTRONICS; a.k.a. ROSELEKTRONIKA OAO; a.k.a. RUSELECTRONICS; a.k.a. RUSELECTRONICS JSC; a.k.a. RUSELEKTRONICS; a.k.a. RUSSIAN ELECTRONICS OPEN JOINT STOCK COMPANY; a.k.a. "RUSSIAN ELECTRONICS"), 12 Kosmonavta Volkova ul., Moscow 127299, Russia; Website www.ruselectronics.ru; alt. Website www.roselgroup.com; Email Address info@ruselectronics.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739000475; Tax ID No. 7710277994; Government Gazette Number 48532918; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

210. ROSTEC (a.k.a. ROSTEC STATE CORPORATION; a.k.a. RUSSIAN TECHNOLOGIES; a.k.a. RUSSIAN TECHNOLOGIES STATE CORPORATION FOR ASSISTANCE TO DEVELOPMENT, PRODUCTION AND EXPORT OF ADVANCED TECHNOLOGY INDUSTRIAL PRODUCT; a.k.a. STATE CORPORATION FOR ASSISTANCE TO DEVELOPMENT, PRODUCTION AND EXPORT OF ADVANCED TECHNOLOGY INDUSTRIAL PRODUCT ROSTEKHNOLOGII; a.k.a. STATE CORPORATION ROSTECHNOLOGII; a.k.a.

STATE CORPORATION ROSTEKHNOLOGII), 24 Usacheva ul., Moscow 119048, Russia; 21 Gogolevsky Blvd., Moscow 119991, Russia; Website www.rostec.ru; Email Address info@rostec.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077799030847 (Russia); Tax ID No. 7704274402 (Russia); Government Gazette Number 94137372 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

211. ROVNENSKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA ROVNENSKI ELEVATOR; a.k.a. OAO 'ROVNENSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'ROVNENSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'ROVNENSKI ELEVATOR'), 1 ul. Mira Pos. Kubanski, Novopokrovski Raion, Krasnodarski Kr. 353011, Russia; 1 Mira Str., Kubanskiy Village, Novopokrovskiy District, Krasnodar Region, Russia; Email Address rovnenskiy@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304420709; Tax ID No. 2344007569; Government Gazette Number 00940743; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

212. RT - GLOBALNYE RESURSY OOO (a.k.a. RT - GLOBAL RESOURCES LIMITED LIABILITY COMPANY; a.k.a. RT GLOBAL RESOURCES; a.k.a. "R-T GR OOO"), str. 2 2 Paveletskaya pl., Moscow 115054, Russia; Email Address info@rtgr.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1137746198930; Tax ID No. 7708784387; Government Gazette Number 17259280; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: ROSTEC).

213. RT-METALLURGIYA OAO (a.k.a. OPEN JOINT-STOCK COMPANY RT-METALLURGIYA; a.k.a. RT-METALLURGY OPEN JOINT STOCK COMPANY), Per. Skatertniy, D. 18, Moscow 121069, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209;

Tax ID No. 7703697388; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

214. JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK (a.k.a. ROSSELKHOZBANK; a.k.a. RUSSIAN AGRICULTURAL BANK; a.k.a. RUSSIAN AGRICULTURAL BANK OJSC; a.k.a. RUSSIAN AGRICULTURAL BANK OPEN JOINT STOCK COMPANY; a.k.a. "RUSAG"), 3, Gagarinsky Pereulok, Moscow 119034, Russia; 3 Gagarinsky per., Moscow 119034, Russia; SWIFT/BIC RUAGRUMM; Website http://www.rshb.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Government Gazette Number 52750822 (Russia); Registration Number 1027700342890 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

215. RUSSIAN DIRECT INVESTMENT FUND MANAGEMENT COMPANY (a.k.a. LIMITED LIABILITY COMPANY RDIF MANAGEMENT COMPANY; a.k.a. MANAGEMENT COMPANY RDIF LLC; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU UPRAVLYAYUSHCHAYA KOMPANIYA RFPI; a.k.a. RDIF MANAGEMENT COMPANY; a.k.a. RDIF MANAGEMENT COMPANY LLC; a.k.a. UK RFPI, OOO), d. 9 prospekt Akademika Sakharova, Moscow 107996, Russia; Website rdif.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1117746429371; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662]

(Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

216. RUST CLOSED JOINT-STOCK COMPANY (a.k.a. CJSC RUST; a.k.a. JSC RUSTE; a.k.a. RUST ZAKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. RUST ZAO), 2 ul. Krasnogo Tekstilshchika, St. Petersburg 191124, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027800513070 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

217. SB INTERNATIONAL SARL, Avenue J.F. Kennedy 46a, 1855 Luxembourg, Luxembourg; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID B161089 (Luxembourg); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

218. SUBSIDIARY BANK SBERBANK OF RUSSIA JOINT STOCK COMPANY (a.k.a. DOCHERNI BANK AKTSIONERNOE OBSHCHESTVO SBERBANK ROSSII; a.k.a. SB SBERBANK JSC; f.k.a. "TEXAKABANK JSC"), 30/26, Gogol/Kaldayakov Street, Almaty 050010, Kazakhstan; 13/1 Al-Farabi Avenue, Bostandyk District, Almaty 050059, Kazakhstan; Zenkov St, 24, Almaty 480100, Kazakhstan; SWIFT/BIC SABRKZKA; Website www.sberbank.kz; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 600900050984 (Kazakhstan); Registration Number 930740000137 (Kazakhstan); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

219. SB SECURITIES SA, Boulevard Konrad Adenauer 2, Luxembourg 1115, Luxembourg; 14, rue Edward Steichen, L-2540, Luxembourg; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID B171037 (Luxembourg); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

220. SBERBANK (SWITZERLAND) AG, Gartenstrasse 24, 8002 Zurich, Switzerland; PO Box 2136, Zurich 8027, Switzerland; Freigutstrasse 16, 8027 Zurich, Switzerland; SWIFT/BIC SLBZCHZZ; Website www.slb-bank.ch; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID CH-020.3.908.277-7 (Switzerland); alt. Registration ID CHE-106.291.569 (Switzerland); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

221. LIMITED LIABILITY COMPANY SBERBANK CAPITAL (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU SBERBANK KAPITAL; a.k.a. SBERBANK CAPITAL LIMITED LIABILITY COMPANY; a.k.a. SBERBANK CAPITAL LLC; a.k.a. SBERBANK KAPITAL OOO), d.19 ul. Vavilova, Moscow 117997, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1087746887678 (Russia); Tax ID No. 7736581290 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662]

[RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

222. SBERBANK EUROPE AG, Schwarzenbergplatz 3, Vienna 1010, Austria; SWIFT/BIC SABRATWW; Website www.sberbank.at; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. ATU55795009 (Austria); Registration Number FN 161285 i (Austria); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

223. LIMITED LIABILITY COMPANY SBERBANK FINANCIAL COMPANY (a.k.a. LLC SBERBANK FINANCIAL COMPANY; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU FINANSOVAYA KOMPANIYA SBERBANKA; a.k.a. SBERBANK FINANCE COMPANY LIMITED LIABILITY COMPANY; a.k.a. SBERBANK FINANCE LLC; a.k.a. SBERBANK-FINANCE; a.k.a. SBERBANK-FINANS OOO), d. 29/16 per. Sivtsev Vrazhek, Moscow 119002, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1107746399903 (Russia); Tax ID No. 7736617998 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

224. LIMITED LIABILITY COMPANY SBERBANK INSURANCE BROKER (a.k.a. LLC INSURANCE BROKER OF SBERBANK; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVOI BROKER

SBERBANKA; a.k.a. OOO STRAKHOVOI BROKER SBERBANKA; a.k.a. SBERBANK INSURANCE BROKER LLC), 42 Bolshaya Yakimanka St., b. 1-2, office 206, Moscow 119049, Russia; 1 Vasilisy Kozhinoy Street, building 1, floor 11, room 30, Moscow 121096, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147746683468 (Russia); Tax ID No. 7706810730 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

225. INSURANCE COMPANY SBERBANK INSURANCE LIMITED LIABILITY COMPANY (a.k.a. LLC INSURANCE COMPANY SBERBANK INSURANCE; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVAYA KOMPANIYA SBERBANK OBSHCHEE STRAKHOVANIE; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVAYA KOMPANIYA SBERBANK STRAKHOVANIE; a.k.a. SBERBANK INSURANCE COMPANY LTD; a.k.a. SBERBANK INSURANCE IC LLC; a.k.a. SBERBANK STRAHOVANIE OOO SK; a.k.a. SK SBERBANK STRAHOVANIE LLC; a.k.a. STRAKHOVAYA KOMPANIYA SBERBANK STRAKHOVANIE), 42 Bolshaya Yakimanka St., b. 1-2, office 209, Moscow 119049, Russia; 7 ul. Pavlovskaya, Moscow, Russia; 3 Poklonnaya Street, building 1, floor 1, office 3, Moscow 121170, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1147746683479 (Russia); Tax ID No. 7706810747 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

226. LIMITED LIABILITY COMPANY SBERBANK INVESTMENTS (a.k.a. SBERBANK INVESTMENTS LLC; a.k.a. SBERBANK INVESTMENTS OOO), 46 Molodezhnaya St., Odintsovo, Moscow Region 143002, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Tax ID No. 5039441 (Russia); Registration Number 1105032007761 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

227. JOINT STOCK COMPANY SBERBANK LEASING (a.k.a. CJSC SBERBANK LEASING; f.k.a. RUSSKO-GERMANSKAYA LIZINGOVAYA KOMPANIYA ZAO; a.k.a. SBERBANK LEASING JSC; a.k.a. SBERBANK LEASING ZAO; a.k.a. SBERBANK LIZING ZAKRYTOE AKTSIONERNOE OBSHCHESTVO), Novoivanovskoe workers settlement, Odintsovo, Moscow Region 143026, Russia; 6 Vorobievskoe shosse, Moscow 119285, Russia; Website www.sberleasing.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Registration ID 1027739000728 (Russia); Tax ID No. 7707009586 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

228. PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО СБЕРБАНК РОССИИ) (f.k.a. JOINT STOCK COMMERCIAL SAVINGS BANK OF THE RUSSIAN FEDERATION; f.k.a. JOINT STOCK COMMERCIAL SAVINGS BANK OF THE RUSSIAN SOVIET FEDERATIVE SOCIALIST REPUBLIC; f.k.a. OJSC SBERBANK OF RUSSIA; f.k.a. OPEN JOINT STOCK COMPANY SBERBANK

OF RUSSIA; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO SBERBANK ROSSII; a.k.a. PJSC SBERBANK (Cyrillic: ПАО СБЕРБАНК); f.k.a. SBERBANK OF RSFSR; a.k.a. SBERBANK OF RUSSIA; a.k.a. SBERBANK ROSSII; f.k.a. SBERBANK ROSSII OAO), 19 ul. Vavilova, Moscow 117312, Russia (Cyrillic: ул. Вавилова, д. 19, Москва 117312, Russia); SWIFT/BIC SABRRUMM; Website www.sberbank.ru; alt. Website www.sberbank.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 2): 24 Feb 2022; Effective Date (EO 14024 Directive 2): 26 Mar 2022; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7707083893 (Russia); Registration Number 1027700132195 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

229. SBERBANK TECHNOLOGIES CLOSED JOINT STOCK COMPANY (a.k.a. CJSC SBERBANK-TECHNOLOGY; a.k.a. CLOSED JOINT STOCK COMPANY SBERBANK - TECHNOLOGY; a.k.a. SBERTEKH, ZAO; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO SBERBANK -TEKHNOLOGII), d. 10 nab. Novodanilovskaya, Moscow 117105, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746533926 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY SBERBANK OF RUSSIA).

230. SG MSK, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'STRAKHOVAYA GRUPPA MSK'; a.k.a. OAO 'STRACHOVAIYA GRUPPA MSK'; a.k.a. OPEN JOINT STOK COMPANY 'INSURANCE GROUP MCK'; a.k.a. PJSC 'INSURANCE GROUP MSK'), d. 40, ul. Dolgorukovskaya, Moscow 127006, Russia; Website http://sgmsk.ru/about/raskrytie-informacii/oao-sg-msk; Email Address

root@oasopsk.kazan.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021602843470 (Russia); Tax ID No. 1655006421 (Russia); Government Gazette Number 23333017 (Russia); For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

231. SHERVUD PREMER, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'SHERVUD PREMER'; a.k.a. SHERVUD PREMIER OOO), 8 per. Olsufevski, Moscow 119021, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700226707; Tax ID No. 7716160907; Government Gazette Number 18470373; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

232. SKODA JS A.S., Orlik 266, Plzen – mesto PSC 316 06, Plzen, Czech Republic; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

233. SME BANK (a.k.a. AKTSIONERNOE OBSHCHESTVO ROSSISKI BANK PODDERZHKI MALOGO I SREDNEGO PREDPRINIMATELSTVA; a.k.a. JSC RUSSIAN BANK FOR SMALL AND MEDIUM ENTERPRISES SUPPORT; a.k.a. JSC SME BANK; a.k.a. MSP BANK AO; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO ROSSISKI BANK RAZVITIYA), 79 ul. Sadovnicheskaya, Moscow 115035, Russia; SWIFT/BIC RUDVRUMM; Website mspbank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1027739108649; All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662]

(Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

234. SNGB AO (a.k.a. CLOSED JOINT STOCK COMPANY SURGUTNEFTEGASBANK (ZAO SNGB); a.k.a. JOINT STOCK COMPANY SURGUTNEFTEGASBANK; a.k.a. JSC BANK SNGB), 19 Kukuyevitskogo Street, Surgut 628400, Russia; Website www.sngb.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028600001792 (Russia); Tax ID No. 8602190258 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

235. SO TVERNEFTEPRODUKT OOO (a.k.a. LIMITED LIABILITY COMPANY MARKETING ASSOCIATION TVERNEFTEPRODUCT; a.k.a. LLC MA TVERNEFTEPRODUCT), 6 Novotorzhskaya Ulitsa, Tver, Russia; Website www.tvernefteproduct.ru; Email Address tnp@dep.tvcom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026900510647 (Russia); Tax ID No. 6905041501 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

236. SOVKHOZ CHERVISHEVSKI PAO (a.k.a. OJSC SOVKHOZ CHERVISHEVSKY; a.k.a. OPEN JOINT STOCK COMPANY SOVKHOZ CHERVISHEVSKY; a.k.a. SOVKHOZ CHERVISHEVSKY, JSC), d. 81 Sovetskaya Ulitsa, S. Chervichevsky, Tyumensky Rayon, Tyumenskaya Oblast 625519, Russia; Email Address sovxoz@list.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027200789142 (Russia); Tax ID No. 7224019466 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

237. STEPNYANSKI ELEVATOR, OAO (f.k.a. AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA STEPNYANSKI ELEVATOR; a.k.a. OAO 'STEPNYANSKI ELEVATOR'; a.k.a. OPEN JOINT STOCK COMPANY 'STEPNYANSIKY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'STEPNYANSKI ELEVATOR'), 2 ul. Krupskaya S. Krasnoe, Kushchevski Raion, Krasnodarski Kr. 352010, Russia; 2 Krupskoi Str., Krasnoe Village, Kutshevskiy District, Krasnodar Region, Russia; Email Address step_el@inbox.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304243279; Tax ID No. 2340003980; Government Gazette Number 00940648; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

238. STRAKHOVOVE OBSHCHESTVO SURGUTNEFTEGAZ OOO (a.k.a. INSURANCE COMPANY SURGUTNEFTEGAS, LLC; a.k.a. LIMITED LIABILITY COMPANY INSURANCE COMPANY SURGUTNEFTEGAS; a.k.a. LLC INSURANCE COMPANY SURGUTNEFTEGAS), 9/1 Lermontova Ulitsa, Surgut 628418, Russia; Website www.sngi.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028600581811 (Russia); Tax ID No. 8602103061 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

239. SURGUTMEBEL OOO (a.k.a. LIMITED LIABILITY COMPANY SYRGUTMEBEL; a.k.a. LLC SURGUTMEBEL; a.k.a. LLC SYRGUTMEBEL; a.k.a. SURGUTMEBEL, LLC), Vostochnaya Industrial 1 Territory 2, Poselok Barsovo, Surgutsky District, Yugra, Khanty-Mansiysky Autonomous Okrug, Russia; Website http://surgutmebel.ru; Email Address realsbt@surgutneftegaz.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Nationality of Registration Russia; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1028601679688 (Russia); Tax ID No. 8617013396 (Russia); For more information, please reference the following link: http://www.treasury.gov/resource-center/sanctions/OFAC-Enforcement/Pages/OFAC-Recent-Actions.aspx [UKRAINE-EO13662] (Linked To: SURGUTNEFTEGAS).

240. SURGUTNEFTEGAS (a.k.a. OPEN JOINT STOCK COMPANY SURGUTNEFTEGAS; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO SURGUTNEFTEGAZ; a.k.a. SURGUTNEFTEGAS OAO; a.k.a. SURGUTNEFTEGAS OJSC; a.k.a. SURGUTNEFTEGAZ OAO), ul. Grigoriya Kukuyevitskogo, 1, bld. 1, Khanty-Mansiysky Autonomous Okrug – Yugra, the city of Surgut, Tyumenskaya Oblast 628415, Russia; korp. 1 1 Grigoriya Kukuevitskogo ul., Surgut, Tyumenskaya oblast 628404, Russia; Street Kukuevitskogo 1, Surgut, Tyumen Region 628415, Russia; Website www.surgutneftegas.ru; Email Address secretary@surgutneftegas.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662].

241. SVIAZ-BANK (a.k.a. INTERREGIONAL BANK FOR SETTLEMENTS OF THE TELECOMMUNICATIONS AND POSTAL SERVICES; a.k.a. MEZHREGIONALNY KOMMERCHESKI BANK RAZVITIYA SVYAZI I INFORMATIKI (PUBLICHNOE AKTSIONERNOE OBSHCHESTVO); a.k.a. SVIAZ-BANK AKB PAO), 7 Tverskaya ul., Moscow 125375, Russia; SWIFT/BIC SVIZRUMM; Website sviaz-bank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Public Registration Number 1027700159288; All offices worldwide; for more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

242. SVYAZTRANSNEFT, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'SVYAZ OBEKTOV TRANSPORTA I DOBYCHI NEFTI'; a.k.a. JSC 'SVYAZTRANSNEFT'; a.k.a. OPEN JOINT-STOCK COMPANY 'COMMUNICATION OF THE OBJECTS OF OIL TRANSPORTATION AND EXTRACTION'), 12 ul. Nametkina, Moscow 117420, Russia; Website www.oilnet.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027739420961 (Russia); Tax ID No. 7723011906 (Russia); Government Gazette Number 00140058 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

243. TD AGROTORG, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'TORGOVY' DOM 'AGROTORG'; a.k.a. TRADING COMPANY 'AGROTORG' LTD.), 3 per. Gagarinski, Moscow 119034, Russia; 3 Gagarinsky Pereulok, Moscow, Russia; Email Address fednev@rshb.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1047796863916; Tax ID No. 7704537299; Government Gazette Number 75319328; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

244. TERNEFTEGAZ, ZAO (a.k.a. ZAO TERNEFTGAS), str. 2 ter. Promyshlenaya zone No. 11 Krasnoselkup, Krasnoselkupski Raion, Yamalo-Nenetski A.O. 629380, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1098911000473; Tax ID No. 8912002715; Government Gazette Number 71216169; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

245. TRANSNEFT FINANS, OOO (a.k.a. LIMITED LIABILITY COMPANY 'TRANSNEFT FINANS'; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'TRANSNEFT FINANS'; a.k.a. TRANSNEFT FINANCE LIMITED), d. 24 korp. 1 ul. Vavilova, Moscow 119334, Russia; Website transneftfinance.ru; Email Address sobolevmi@tnf.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1067746400622 (Russia); Tax ID No. 7736536770 (Russia); Government Gazette Number 94473510 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

246. TRANSNEFT-DIASKAN, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - DIASKAN'; a.k.a. JSC 'TRANSNEFT-DIASCAN'; a.k.a. JSC CTD 'DIASKAN'; a.k.a. OPEN JOINT-STOCK COMPANY 'CENTRE OF TECHNICAL DIAGNOSTICS'), 7 ul. Kuibysheva, Lukhovitsy, Raion Moskovskaya Obl. 140501, Russia; Website www.diascan.ru; Email Address korotkovaa@ctd.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary

sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025007389527 (Russia); Tax ID No. 5072703668 (Russia); Government Gazette Number 18024722 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

247. TRANSNEFT-DRUZHBA, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - DRUZHBA'; a.k.a. JSC 'DRUZHBA'; a.k.a. OPEN JOINT-STOCK COMPANY "OIL TRUNK PIPELINES 'DRUZHBA'"), d. 113 ul. Uralskaya, Bryansk, Bryanskaya Obl. 241020, Russia; Website www.druzhbamn.ru; Email Address androsovaeg@brn.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1023202736754 (Russia); Tax ID No. 3235002178 (Russia); Government Gazette Number 10453441 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

248. TRANSNEFT-MEDIA, OOO (a.k.a. LIMITED LIABILITY COMPANY 'TRANSPRESS'; a.k.a. LLC 'TRANSPRESS'; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'TRANSNEFT - MEDIA'), d. 4 str.1 ul. Shchipok, Moscow 115093, Russia; Website http://en.media.transneft.ru/; Email Address transpress.ttn@gmail.com; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700276218 (Russia); Tax ID No. 7734019544 (Russia); Government Gazette Number 36559384 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

249. TRANSNEFT-METROLOGIYA, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFTMETROLOGIYA'; a.k.a. CJSC 'CENTRE MO'; a.k.a. CLOSED JOINT-STOCK COMPANY 'CENTRE OF METROLOGICAL PROVISION'), d. 16 korp. 1 ul. Dobrolyubova, Moscow 127254, Russia; Website centermo.ru; Email Address chernyshovi@cmo.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037739028491 (Russia); Tax ID No. 7723107453 (Russia); Government Gazette

Number 42771562 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

250. TRANSNEFT-OKHRANA, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'TRANSNEFT-OKHRANA'), d. 12 str. 2 ul. Nametkina, Moscow 117420, Russia; Email Address babaevii@tno.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1147746651898 (Russia); Tax ID No. 7728881149 (Russia); Government Gazette Number 16983393 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

251. TRANSNEFT-PODVODSERVIS, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT-PODVODSERVIS'; a.k.a. JSC ‘VOLZHSKY PODVODNIK’; a.k.a. OPEN JOINT-STOCK COMPANY ‘VOLZHSKY PODVODNIK’), 19A ul. Larina, Nizhni Novgorod, Nizhegorodskaya Obl. 603152, Russia; Email Address alexandrovan@vp.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1025201982520 (Russia); Tax ID No. 5250000820 (Russia); Government Gazette Number 04884421 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

252. TRANSNEFT-PRIKAME, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - PRIKAME'; a.k.a. JSC ‘SZMN’; a.k.a. OPEN JOINT-STOCK COMPANY ‘NORTH-WESTERN OIL TRUNK PIPELINES’; a.k.a. TRANSNEFT-PRIKAMYE AO), 26A ul. Nikolaya Ershova, Kazan, Tatarstan Resp. 420061, Russia; Website www.szmn.ru; Email Address hanovat@kaz.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021601763820 (Russia); Tax ID No. 1645000340 (Russia); Government Gazette Number 00139264 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

253. TRANSNEFT-PRIVOLGA, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT-PRIVOLGA'; a.k.a. JSC PRIVOLZHSKNEFTEPROVOD; a.k.a. OPEN JOINT-STOCK COMPANY 'PRIVOLZHSK OIL TRUNK PIPELINES'), 100 ul. Leninskaya, Samara, Samarskaya Obl. 443020, Russia; Website pmn.ru; Email Address ootorg@pmn.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026301416371 (Russia); Tax ID No. 6317024749 (Russia); Government Gazette Number 00139117 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

254. TRANSNEFT-SEVER, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - SEVER'; a.k.a. OPEN JOINT-STOCK COMPANY 'NORTH OIL TRUNK PIPELINES'; a.k.a. "JSC 'SMN'"), 2/1 prospekt A.I.Zeryunova, Ukhta, Komi Resp. 169313, Russia; Website www.severnyemn.ru; Email Address post@uht.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1021100730353 (Russia); Tax ID No. 1102016594 (Russia); Government Gazette Number 00139672 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

255. TRANSNEFT-SIBIR, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - SIBIR'; a.k.a. JSC SIBNEFTEPROVOD; a.k.a. OPEN JOINT-STOCK COMPANY 'SIBNEFTEPROVOD'; a.k.a. TRANSNEFT SIBIRIA, JSC), 139 ul. Respubliki, Tyumen, Tyumenskaya Obl. 625048, Russia; Website http://sibnefteprovod.transneft.ru; Email Address beschastnyhav@ueso.tmn.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027200789220 (Russia); Tax ID No. 7201000726 (Russia); Government Gazette Number 00139229 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

256. TRANSNEFT-TSENTRALNAYA SIBIR, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - TSENTRALNAYA SIBIR'; a.k.a. JSC 'TSENTRSIBNEFTEPROVOD'; a.k.a. OPEN JOINT-STOCK COMPANY 'OIL TRUNK PIPELINES OF CENTRAL SIBERIA'), 24 ul. Naberezhnaya Reki Ushaiki, Tomsk, Tomskaya Obl. 634050, Russia; Website csib.tomsk.ru; Email Address bagamanovmn@tom.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027000867101 (Russia); Tax ID No. 7017004366 (Russia); Government Gazette Number 00139181 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

257. TRANSNEFT-URAL, AO (a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFT - URAL'; a.k.a. JSC 'URALSIBNEFTEPROVOD'; a.k.a. OPEN JOINT-STOCK COMPANY 'CHERNYAEV URAL-SIBERIAN OIL TRUNK PIPELINES'), 10 ul. Krupskoi, Ufa, Bashkortostan Resp. 450077, Russia; Website www.usmn.ru; Email Address nekrasovaov@ufa.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1020203226230 (Russia); Tax ID No. 0278039018 (Russia); Government Gazette Number 00139608 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

258. TRANSNEFTEPRODUKT, PAO (f.k.a. AKTSIONERNOE OBSHCHESTVO AKTSIONERNAYA KOMPANIYA TRUBOPROVODNOGO TRANSPORTA NEFTEPRODUKTOV TRANSNEFTEPRODUKT; a.k.a. AKTSIONERNOE OBSHCHESTVO 'TRANSNEFTEPRODUKT'; a.k.a. JSC 'TRANSNEFTEPRODUKT'; a.k.a. OPEN JOINT-STOCK COMPANY 'TRANSNEFTEPRODUKT'; a.k.a. TRANSNEFTEPRODUCT JOINT-STOCK CO), 8A prospekt Vernadskogo, Moscow 119311, Russia; Email Address nurymbetovage@ak.aktnp.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700054140 (Russia); Tax ID No. 7709027196 (Russia); Government Gazette Number 00044474 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

259. TSUP VSTO, OOO (a.k.a. LIMITED LIABILITY COMPANY 'CENTRE OF MANAGEMENT OF THE PROJECT EASTERN SIBERIA-PACIFIC OCEAN'; a.k.a. LLC TSUP VSTO; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'TSENTR UPRAVLENIYA PROEKTOM 'VOSTOCHNAYA SIBIR – TIKHI OKEAN'), 2-B ul. Gorkogo, Angarsk, Irkutskaya Obl. 665830, Russia; Website cupvsto.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1053801124519 (Russia); Tax ID No. 3801079270 (Russia); Government Gazette Number 77642401 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY TRANSNEFT).

260. ULYANOVSKI GIPROAVIAPROM OAO (a.k.a. OPEN JOINT-STOCK COMPANY ULYANOVSKIY GOSUDARSTVENNIY PROYEKTNO-KONSTRUKTORSKIY INSTITUT AVIATSIONNOY PROMYSHLENNOSTI; a.k.a. ULYANOVSK STATE DESIGN AND ENGINEERING INSTITUTE FOR AVIATION INDUSTRY OPEN JOINT STOCK COMPANY; a.k.a. ULYANOVSKIY GIPROAVIAPROM OJSC), Street Vracha Mikhaylova, D. 34, Ulyanovsk 432010, Russia; Website http://www.ulgap.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Tax ID No. 7328046337; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

261. UMANSKI ELEVATOR, OAO (a.k.a. OPEN JOINT STOCK COMPANY 'UMANSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'UMANSKI ELEVATOR'; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA UMANSKI ELEVATOR), 1 per. Elevatorny Stanitsa Leningradskaya, Leningradski Raion, Krasnodarski Kr. 353740, Russia; 1 Elevatorniy Pereulok, Leningradskaya Village, Leningradskiy District, Krasnodar Region, Russia; Email Address umansk-el-yr@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022304292416; Tax ID No. 2341000195;

Government Gazette Number 00940849; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

262. UNITED COMPANY OJSC (a.k.a. OAO 'OBIDINENAIYA KOMANIYA'; a.k.a. OJSC UNITED COMPANY; a.k.a. PJSC 'UNITED COMPANY'), St. Petersburg 192177, Russia; ul. Ryabinovaya d. 53, Moscow 121471, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: BANK OF MOSCOW).

263. UNITED INSTRUMENT MANUFACTURING CORPORATION (a.k.a. JSC-UNITED-INSTRUMENT-MANUFACTURING-CORPORATION; a.k.a. "UIMC"), Vereiskaya 29, str. 141, Moscow 121357, Russia; 29 / 141 Verejskaya Street, Moscow 121357, Russia; Website http://www.opkrt.ru; Email Address info@opkrt.ru; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: ROSTEC).

264. URALMASHZAVOD OAO (a.k.a. URALMASHPLANT), Pl. Pervoi Pyatiletki, Ekaterinburg 620012, Russia; Website www.uralmash.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1026605620689; Tax ID No. 6663005798; For more information on directives, please visit the following link: https://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: GAZPROMBANK JOINT STOCK COMPANY).

265. VEB ASIA LIMITED, Suite 5808, 58/F, Two International Finance Center, 8 Finance Street Central, Hong Kong, China; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 08 Apr 2013; Registration Number 1886537 (Hong Kong); For more information on directives, please visit the following link:

http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

266. VEB CAPITAL (a.k.a. LLC VEB CAPITAL; a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU INVESTITSIONNA YA KOMPANIYA VNESHEKONOMBANKA; a.k.a. OOO VEB KAPITAL), d. 7 str. A ul. Mashi Poryvaevoi, Moscow 107078, Russia; Website vebcapital.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 24 Dec 2009; Tax ID No. 7708710924 (Russia); Registration Number 1097746831709 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

267. VEB ENGINEERING LLC (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VEB INZHINIRING; a.k.a. OOO VEB ENGINEERING; a.k.a. OOO VEB INZHINIRING; a.k.a. VEB ENGINEERING LIMITED LIABILITY COMPANY), d. 9 prospekt Akademika Sakharova, Moscow 107996, Russia; Per. Lyalin D. 19, Korpus 1, Pom. XXIV, Kom 11, Moscow 101000, Russia; Website vebeng.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 11 Mar 2010; Tax ID No. 7708715560 (Russia); Registration Number 1107746181674 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

268. VEB LEASING OJSC (a.k.a. OAO VEB LIZING; a.k.a. OJSC VEB LEASING; a.k.a. OPEN JOINT STOCK COMPANY VEB LEASING; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO VEB LIZING), d. 10 ul. Vozdvizhenka, Moscow 125009, Russia; Str. Dolgorukovskaya, 7, Novoslobodskaya, Moscow 127006, Russia; Website veb-leasing.ru; Executive Order 13662 Directive

Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 2003; Tax ID No. 7709413138 (Russia); Registration Number 1037709024781 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK).

269. VELICHKOVSKI ELEVATOR, OAO (a.k.a. OPEN JOINT STOCK COMPANY 'VELICHKOVSKIY ELEVATOR'; a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'VELICHKOVSKI ELEVATOR'; f.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO OTKRYTOGO TIPA VELICHKOVSKI ELEVATOR), 1 ul. Elevatornaya Stanitsa Straovelichkovskaya, Kalininski Raion, Karsnodarski Kr. 353793, Russia; 1 Elevatornaya Str., Starovelichkovskaya Village, Kalininskiy District, Krasnodar Region, Russia; Email Address velsilos@mail.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1022303950360; Tax ID No. 2333003442; Government Gazette Number 00940536; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK).

270. VERTOLETY ROSSII AO (a.k.a. AKTSIONERNOE OBSHCHESTVO VERTOLETY ROSSII; a.k.a. JOINT STOCK COMPANY RUSSIAN HELICOPTERS; a.k.a. JSC RUSSIAN HELICOPTERS; a.k.a. OPEN JOINT STOCK COMPANY RUSSIAN HELICOPTERS; a.k.a. RUSSIAN HELICOPTERS JOINT STOCK COMPANY), Entrance 9, 12, Krasnopresnenskaya emb., Moscow 123610, Russia; 1, Ul. Bolshaya Pionerskaya, Moscow 115054, Russia; Executive Order 13662 Directive Determination - Subject to Directive 3; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1077746003334 (Russia); Tax ID No. 7731559044 (Russia); Government Gazette Number 98927243 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: ROSTEC).

271. STATE CORPORATION BANK FOR DEVELOPMENT AND FOREIGN ECONOMIC AFFAIRS VNESHECONOMBANK (f.k.a. BANK FOR FOREIGN TRADE OF THE U.S.S.R.; a.k.a. GK VEB.RF; a.k.a. GOSUDARSTVENNAYA KORPORATSIYA RAZVITIYA VEB.RF; a.k.a. STATE DEVELOPMENT CORPORATION VEB.RF (Cyrillic: ГОСУДАРСТВЕННАЯ КОРПОРАЦИЯ РАЗВИТИЯ ВЭБ.РФ); a.k.a. VEB.RF (Cyrillic: ВЭБ.РФ); f.k.a. VNESHECONOMBANK; f.k.a. VNESHEKONOMBANK GK; f.k.a. VNESHEKONOMBANK SSSR; a.k.a. "BANK FOR DEVELOPMENT"; a.k.a. "VEB"), Akademik Sakharov Ave 9, Moscow 107996, Russia; Pr-kt, Akademika Sakharova, D. 9, Moscow 107078, Russia (Cyrillic: Пр-Кт Академика Сахарова, Д. 9, Город Москва 107078, Russia); SWIFT/BIC BFEARUMM; Website www.veb.ru; BIK (RU) 044525060; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 18 Aug 1922; Target Type State-Owned Enterprise; alt. Target Type Financial Institution; Tax ID No. 7750004150 (Russia); Government Gazette Number 00005061 (Russia); Registration Number 1077711000102 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

272. VOSTOKGAZPROM, OAO (a.k.a. OTKRYTOE AKTSIONERNOE OBSHCHESTVO 'VOSTOKGAZPROM'; a.k.a. VOSTOKGAZPROM), d. 73 ul. Bolshaya Podgornaya, Tomsk, Tomskaya obl. 634009, Russia; Website vostokgazprom.gazprom.ru; Email Address canclervgp@vostokgazprom.ru; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027000855111; Tax ID No. 7017005296; Government Gazette Number 49382579; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

273. VTB BANK ARMENIA CLOSED JOINT STOCK COMPANY (f.k.a. SAVINGS BANK OF THE REPUBLIC OF ARMENIA; a.k.a. VTB BANK ARMENIA CJSC), 46 Ul, Nalbandyan, Yerevan 375010, Armenia; SWIFT/BIC ARMJAM22; Website www.vtb.am; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on

directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

274. VTB BANK (AUSTRIA) AG, Parking 6, PO Box 560, Vienna 1010, Austria; SWIFT/BIC DOBAATWW; Website www.vtb.at; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID FN 117595 i; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

275. VTB BANK AZERBAIJAN OPEN JOINT STOCK COMPANY (a.k.a. BANK VTB AZERBAIJAN OJSC; a.k.a. JSC VTB BANK AZERBAIJAN; f.k.a. OJSC AF BANK), 38 Khatai ave. Nasimi district, Baku AZ 1008, Azerbaijan; 60, Samed Vurgun str, Baku 1022, Azerbaijan; SWIFT/BIC VTBAAZ22; Website http://en.vtb.az/; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

276. VTB BANK BELARUS CLOSED JOINT STOCK COMPANY (f.k.a. CJSC SLAVNEFTEBANK; a.k.a. CJSC VTB BANK BELARUS; a.k.a. VTB BANK BELARUS; a.k.a. VTB BANK BELARUS CJSC; a.k.a. VTB BANK BELARUS CLOSED JOINT STOCK COMPANY), 14, Moskovskaya Street, Minsk 220007, Belarus; SWIFT/BIC SLANBY22; Website www.vtb-bank.by; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

277. VTB BANK GEORGIA JOINT STOCK COMPANY (a.k.a. JSC VTB BANK GEORGIA; a.k.a. VTB BANK GEORGIA JSC; f.k.a. "UNITED GEORGIAN BANK"), 14, G. Chanturia Street, Tbilisi 0114, Georgia; SWIFT/BIC UGEBGE22; Website www.vtb.com.ge; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

278. VTB BANK JSC BELGRADE (f.k.a. MOSKOVSKA BANKA AD; a.k.a. VTB BANKA AD BEOGRAD), 2 Balkanska street, Belgrade 11 000, Serbia; SWIFT/BIC MBBGRSBG; Website www.vtbbanka.rs; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

279. VTB BANK PUBLIC JOINT STOCK COMPANY (Cyrillic: БАНК ВТБ ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО) (f.k.a. BANK FOR FOREIGN TRADE OF RSFSR; f.k.a. BANK OF FOREIGN TRADE OF THE RUSSIAN FEDERATION; f.k.a. BANK VNESHEI TORGOVLI OAO; f.k.a. BANK VNESHNEI TORGOVLI ROSSISKOI FEDERATSII AS A PRIVATE JOINT STOCK COMPANY; f.k.a. BANK VNESHNEI TORGOVLI RSFSR; f.k.a. BANK VNESHNEY TORGOVLI JOINT STOCK COMPANY; f.k.a. BANK VNESHNEY TORGOVLI OPEN JOINT STOCK COMPANY; f.k.a. BANK VNESHNEY TORGOVLI ROSSIYSKOY FEDERATSII CLOSED JOINT STOCK COMPANY; f.k.a. BANK VTB OAO; f.k.a. BANK VTB OPEN JOINT STOCK COMPANY; a.k.a. BANK VTB PAO; a.k.a. BANK VTB PUBLICHNOE AKTSIONERNOE OBSHCHESTVO; f.k.a. CJSC BANK FOR FOREIGN TRADE OF THE RUSSIAN FEDERATION; f.k.a. JSC VTB BANK; f.k.a. OAO BANK VTB; f.k.a. OAO VNESHTORGBANK; f.k.a. OJSC CJSC BANK FOR FOREIGN TRADE; f.k.a. RUSSIAN VNESHTORGBANK; f.k.a. VNESHTORGBANK; f.k.a. VNESHTORGBANK OF RSFSR; f.k.a. VNESHTORGBANK ROSSII CLOSED JOINT STOCK COMPANY; a.k.a. VTB BANK; f.k.a. VTB BANK OAO; f.k.a. VTB BANK OPEN JOINT STOCK COMPANY; a.k.a. VTB BANK PAO; a.k.a. VTB BANK PJSC (Cyrillic: БАНК ВТБ ПАО)), 29, Bolshaya Morskaya str., St.

Petersburg 190000, Russia; 37 Plyushchikha ul., Moscow 119121, Russia; 43, Vorontsovskaya str., Moscow 109044, Russia; 11 litera, per. Degtyarny, St. Petersburg 191144, Russia; 11, lit A, Degtyarnyy pereulok, St. Petersburg 191144, Russia; 43, bld.1, Vorontsovskaya str., Moscow 109147, Russia; Bashnya Zapad, Kompleks Federatsiya, 12, nab. Presnenskaya, Moscow 123317, Russia; str. 1, 43, ul. Vorontsovskaya, Moscow 109147, Russia; Vorontsovskaya Str 43, Moscow 109147, Russia; SWIFT/BIC VTBRRUMM; Website www.vtb.com; alt. Website www.vtb.ru; BIK (RU) 044030707; alt. BIK (RU) 044525187; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 17 Oct 1990; Target Type Financial Institution; Registration ID 1027739609391 (Russia); Tax ID No. 7702070139 (Russia); Government Gazette Number 00032520 (Russia); License 1000 (Russia); Legal Entity Number 253400V1H6ART1UQ0N98 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

280. VTB CAPITAL HOLDINGS CLOSED JOINT STOCK COMPANY (a.k.a. HOLDING VTB CAPITAL CJSC; a.k.a. KHOLDING VTB KAPITAL ZAKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. VTB CAPITAL HOLDING CJSC; a.k.a. VTB CAPITAL HOLDING ZAO; a.k.a. VTB CAPITAL JSC), 12 Presnenskaya nab., Moscow 123100, Russia; 4th Lesnoy Pereulok 4, Capital Plaza, Moscow 125047, Russia; Room 410, Stolyarniy Pereulok 3, bld 34, Moscow 123022, Russia; Website http://vtbcapital.com; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 1097746344596 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

281. LIMITED LIABILITY COMPANY VTB DC (a.k.a. LLC VTB DC; a.k.a. VTB DC LIMITED; a.k.a. VTB DC LTD), Room 47, office XIV, 8 Brestskaya Street, Moscow 125047, Russia; d. 35 str. 1, Prospect Leningradski, Moscow 125284, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 2011; Registration Number 5117746058733 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-

center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

282. VTB FACTORING LTD (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VTB FAKTORING; a.k.a. VTB FACTORING LIMITED; a.k.a. VTB FAKTORING OOO), d. 52 str. 1 nab.Kosmodamianskaya, Moscow 115054, Russia; Website www.vtbf.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Target Type Financial Institution; Registration ID 5087746611145 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

283. VTB INSURANCE LIMITED (a.k.a. INSURANCE COMPANY VTB-INSURANCE LIMITED; a.k.a. INSURANCE COMPANY VTB-INSURANCE, LTD; f.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU STRAKHOVOI KAPITAL; a.k.a. VTB STRAKHOVANIE SK OOO; a.k.a. VTB STRAKHOVANIE STRAKHOVAYA KOMPANIYA OOO), str. 1 8 Chistoprudnyy bulvar, Moscow 101000, Russia; Website www.vtbins.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700462514 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

284. VTB LEASING OPEN JOINT-STOCK COMPANY (a.k.a. JSC VTB LEASING; a.k.a. VTB LIZING, OAO; a.k.a. VTB LIZING, OTKRYTOE AKTSIONERNOE OBSHCHESTVO; a.k.a. VTB-LEASING, OJSC), 2nd Volkonskiy pereulok 10, Moscow 127473, Russia; 43 str. 1 ul. Vorontsovskaya, Moscow 109147, Russia; Website www.vtb-leasing.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1037700259244 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

285. VTB PENSION ADMINISTRATOR LIMITED (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VTB PENSIONNY ADMINISTRATOR; a.k.a. VTB PENSION ADMINISTRATOR LTD; a.k.a. VTB PENSIONNY ADMINISTRATOR OOO), d. 52 str. 1 nab.Kosmodamianskaya, Moscow 115054, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Type: Activities of holding companies; Registration ID 1097746178232 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

286. VTB REAL ESTATE LIMITED LIABILITY COMPANY (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU VTB NEDVIZHIMOST; a.k.a. VTB NEDVIZHIMOST, OOO; a.k.a. VTB REAL ESTATE, LLC), d. 70 ul. Mosfilmovskaya, Moscow 119590, Russia; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1117746272907 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

287. VTB REGISTRAR CLOSED JOINT STOCK COMPANY (a.k.a. JOINT STOCK COMPANY VTB REGISTRAR; a.k.a. JSC VTB REGISTRAR; a.k.a. VTB REGISTRAR; a.k.a. VTB REGISTRAR CJSC), 23, Pravdy Street, Moscow 125040, Russia; Website www.vtbreg.ru; BIK (RU) 044525745; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration Number 1045605469744 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY)..

288. VTB SPECIALIZED DEPOSITORY CLOSED JOINT STOCK COMPANY (a.k.a. CJS VTB SPECIALIZED DEPOSITORY; a.k.a. VTB SPECIALIZED DEPOSITORY CJSC), 35 Myasnitskaya Street, Moscow 101000, Russia; Website www.odk.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR

589.201 and/or 589.209; Organization Established Date 04 Jul 1996; Target Type Financial Institution; Registration Number 1027739157522 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] [RUSSIA-EO14024] (Linked To: VTB BANK PUBLIC JOINT STOCK COMPANY).

289. YAMALGAZINVEST, ZAO (a.k.a. YAMALGAZINVEST; a.k.a. ZAKRYTOE AKTSIONERNOE OBSHCHESTVO 'YAMALGAZINVEST'), d. 41 korp. 1 prospekt Vernadskogo, Moscow 117415, Russia; Website www.yamalgazinvest.gazprom.ru; Email Address a.alyabev@sever-invest.gazprom.ru; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1027700154261; Tax ID No. 7728149400; Government Gazette Number 45938198; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives [UKRAINE-EO13662] (Linked To: PUBLIC JOINT STOCK COMPANY GAZPROM).

290. YARGEO, OOO (a.k.a. OBSHCHESTVO S OGRANICHENNOI OTVETSTVENNOSTYU 'YARGEO'; a.k.a. OOO YARGEO), 12/2 ul. Zvereva, Nadym, Yamalo-Nenetski Okr. 629730, Russia; Email Address loskutova@yargeo.novatek.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Registration ID 1038900502728; Tax ID No. 8901014564; Government Gazette Number 71215589; For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] (Linked To: OAO NOVATEK).

1. GAZPROMBANK JOINT STOCK COMPANY (Cyrillic: ГАЗПРОМБАНК АКЦИОНЕРНОЕ ОБЩЕСТВО) (a.k.a. BANK GPB JSC; a.k.a. GAZPROMBANK AO; f.k.a. GAZPROMBANK OPEN JOINT STOCK COMPANY; f.k.a. JOINT STOCK BANK OF THE GAS INDUSTRY GAZPROMBANK), 16 Nametkina Street, Bldg. 1, Moscow 117420, Russia; SWIFT/BIC GAZPRUMM; Website www.gazprombank.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 31 Jul 1990; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7744001497 (Russia); Government Gazette Number 09807684 (Russia); Registration Number 1027700167110 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

2. JOINT STOCK COMPANY RUSSIAN AGRICULTURAL BANK (a.k.a. ROSSELKHOZBANK; a.k.a. RUSSIAN AGRICULTURAL BANK; a.k.a. RUSSIAN AGRICULTURAL BANK OJSC; a.k.a. RUSSIAN AGRICULTURAL BANK OPEN JOINT STOCK COMPANY; a.k.a. "RUSAG"), 3, Gagarinsky Pereulok, Moscow 119034, Russia; 3 Gagarinsky per., Moscow 119034, Russia; SWIFT/BIC RUAGRUMM; Website http://www.rshb.ru; Executive Order 13662 Directive Determination - Subject to Directive 1; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new

equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Government Gazette Number 52750822 (Russia); Registration Number 1027700342890 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

3. PUBLIC JOINT STOCK COMPANY GAZPROM (a.k.a. GAZPROM; a.k.a. GAZPROM PAO; a.k.a. PJSC GAZPROM), 2/3 Lakhtinsky Avenue, Bldg. 1, St. Petersburg, Russia 197229, Russia; BOX 1255, St. Petersburg 190900, Russia; 156A Moskovsky Avenue, St. Petersburg, Russia; Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7736050003 (Russia); Government Gazette Number 00040778 (Russia); Registration Number 1027700070518 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

4. PUBLIC JOINT STOCK COMPANY GAZPROM NEFT (a.k.a. GAZPROM NEFT PAO; a.k.a. GAZPROM NEFT PJSC; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO GAZPROM NEFT), 5, Let. A, Galernaya, Saint Petersburg 190000, Russia; d. 3-5 litera A Ch. Pom. 1N kab. 2401, ul. Pochtamtskaya, St. Petersburg 190000, Russia; Executive Order 13662 Directive Determination - Subject to Directive 2; alt. Executive Order 13662 Directive Determination - Subject to Directive 4; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-

country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 5504036333 (Russia); Government Gazette Number 42045241 (Russia); Registration Number 1025501701686 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

5. PUBLIC JOINT STOCK COMPANY TRANSNEFT (Cyrillic: ПУБЛИЧНОЕ АКЦИОНЕРНОЕ ОБЩЕСТВО ТРАНСНЕФТЬ) (f.k.a. AK TRANSNEFT OAO; f.k.a. AKTSIONERNAYA KOMPANIYA PO TRANSPORTU NEFTI TRANSNEFT PAO; a.k.a. JSC TRANSNEFT; a.k.a. OIL TRANSPORTING JOINT STOCK COMPANY TRANSNEFT; a.k.a. PAO TRANSNEFT (Cyrillic: ПАО ТРАНСНЕФТЬ); a.k.a. PJSC TRANSNEFT; a.k.a. PUBLICHNOE AKTSIONERNOE OBSHCHESTVO TRANSNEFT), naberezhnaya Presnenskaya, D. 4, Str. 2, Moscow 123112, Russia (Cyrillic: Наб. Пресненская, Д. 4, СТР. 2, Город Москва 123112, Russia); Website www.transneft.ru; Executive Order 13662 Directive Determination - Subject to Directive 2; Secondary sanctions risk: Ukraine-/Russia-Related Sanctions Regulations, 31 CFR 589.201 and/or 589.209; Organization Established Date 26 Aug 1993; Executive Order 14024 Directive Information - For more information on directives, please visit the following link: https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/russian-harmful-foreign-activities-sanctions#directives; Executive Order 14024 Directive Information Subject to Directive 3 - All transactions in, provision of financing for, and other dealings in new debt of longer than 14 days maturity or new equity where such new debt or new equity is issued on or after the 'Effective Date (EO 14024 Directive)' associated with this name are prohibited.; Listing Date (EO 14024 Directive 3): 24 Feb 2022; Effective Date (EO 14024 Directive 3): 26 Mar 2022; Tax ID No. 7706061801 (Russia); Government Gazette Number 00044463 (Russia); Registration Number 1027700049486 (Russia); For more information on directives, please visit the following link: http://www.treasury.gov/resource-center/sanctions/Programs/Pages/ukraine.aspx#directives. [UKRAINE-EO13662] [RUSSIA-EO14024].

Dated: May 2, 2022.

Andrea Gacki,

Director, Office of Foreign Assets Control, U.S. Department of the Treasury.

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