

d'Ivoire and Liberia were promulgated in part to fulfill U.S. obligations and serve collective security interests by implementing United Nations Security Council arms embargoes. Furthermore, arms embargoes were imposed on Sri Lanka and Vietnam by the United States to advance national and regional stability and security. Termination of these embargoes under the EAR recognizes progress in the security situations in Cote d'Ivoire and Liberia, changes in legislative mandates related to Sri Lanka, and the evolution of U.S. relations with Vietnam, and updates the EAR to bring it in line with those changes, including with international authorities supported by the United States and which already are in effect. Lastly, these updates and the recognition of India as a member of the MTCR help to prevent confusing the public as to the status of the named destinations for purposes of export controls under the EAR. No other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. 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. Therefore, this regulation is issued in final form and is made effective immediately upon publication.

#### List of Subjects

##### 15 CFR Part 738

Exports.

##### 15 CFR Part 740

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

##### 15 CFR Part 742

Exports, Terrorism.

##### 15 CFR Part 746

Exports, Reporting and recordkeeping requirements.

Accordingly, parts 738, 740, 742 and 746 of the Export Administration Regulations (15 CFR parts 730–774) are amended as follows:

#### PART 738—[AMENDED]

■ 1. The authority citation for part 738 continues to read as follows:

**Authority:** Authority: 50 U.S.C. 4601 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 22 U.S.C. 287c; 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 42 U.S.C. 2139a; 15 U.S.C. 1824a; 50 U.S.C. 4305; 22 U.S.C.

7201 *et seq.*; 22 U.S.C. 7210; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

#### Supplement No. 1 to Part 738—[Amended]

■ 2. Supplement No. 1 to part 738 “Commerce Country Chart” is amended by removing the footnote notation number 1 from “Cote d'Ivoire” and “Liberia”.

#### PART 740—[AMENDED]

■ 3. The authority citation for part 740 continues to read as follows:

**Authority:** Authority: 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; Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

#### Supplement No. 1 to Part 740—[Amended]

■ 4. Supplement No. 1 to part 740, Country Group D, is amended by:  
 ■ a. Removing the entries for “Cote d'Ivoire”, “Liberia” and “Sri Lanka”; and  
 ■ b. Removing the “X” under column D:5 “U.S. Arms Embargoed Countries” for “Vietnam”.

#### PART 742—[AMENDED]

■ 5. The authority citation for part 742 continues to read as follows:

**Authority:** 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; Sec. 1503, Pub. L. 108–11, 117 Stat. 559; 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. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Presidential Determination 2003–23, 68 FR 26459, 3 CFR, 2004 Comp., p. 320; Notice of November 12, 2015, 80 FR 70667 (November 13, 2015); Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

#### § 742.5 [Amended]

■ 6. Section 742.5 is amended by removing the clause “, and India as an MTCR adherent,” from the first sentence of paragraph (d).

#### PART 746—[AMENDED]

■ 7. The authority citation for 15 CFR part 746 continues to read as follows:

**Authority:** 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. 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 3, 2016, 81 FR 27293 (May 5, 2016); Notice of August 4, 2016, 81 FR 52587 (August 8, 2016).

#### § 746.1 [Amended]

■ 8. Section 746.1 is amended by removing “Cote d'Ivoire (Ivory Coast),” and “Liberia,” from the list of countries in paragraph (b)(2).

Dated: October 28, 2016.

**Kevin J. Wolf,**

*Assistant Secretary for Export Administration.*

[FR Doc. 2016–26535 Filed 11–3–16; 8:45 am]

**BILLING CODE 3510–33–P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### 31 CFR Parts 501 and 593 and Appendix A to Chapter V

#### Amendments to OFAC Regulations To Remove the Former Liberian Regime of Charles Taylor Sanctions Regulations and References to Fax-on-Demand Service

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

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury's Office of Foreign Assets Control (OFAC) is removing from the Code of Federal Regulations the Former Liberian Regime of Charles Taylor Sanctions Regulations as a result of the termination of the national emergency on which the regulations were based. OFAC also is amending the Reporting, Procedures and Penalties Regulations and Appendix A to chapter V by making technical changes including to remove references to OFAC's fax-on-demand service in order to reflect the discontinuation of that service.

**DATES:** *Effective:* November 4, 2016.

**FOR FURTHER INFORMATION CONTACT:** The Department of the Treasury's Office of Foreign Assets Control: Assistant Director for Licensing, tel.: 202–622–2480, Assistant Director for Regulatory Affairs, tel.: 202–622–4855, Assistant Director for Sanctions Compliance & Evaluation, tel.: 202–622–2490, or the Department of the Treasury's Office of the Chief Counsel (Foreign Assets Control), Office of the General Counsel, tel.: 202–622–2410.

**SUPPLEMENTARY INFORMATION:****Electronic Availability**

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

**Background***Removal of the Former Liberian Regime of Charles Taylor Sanctions Regulations*

On July 22, 2004, the President signed Executive Order 13348, "Blocking Property of Certain Persons and Prohibiting the Importation of Certain Goods from Liberia" (E.O. 13348), in which he declared a national emergency to deal with the unusual and extraordinary threat posed to United States foreign policy by the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, which undermined Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. The President further noted that the Comprehensive Peace Agreement signed on August 18, 2003, and the related ceasefire had not yet been universally implemented throughout Liberia, and that the illicit trade in round logs and timber products was linked to the proliferation of and trafficking in illegal arms, which perpetuated the Liberian conflict and fueled and exacerbated other conflicts throughout West Africa.

E.O. 13348 blocked all property and interests in property of the persons listed in the Annex to E.O. 13348 and any person determined: (1) To be or have been an immediate family member of Charles Taylor; (2) to have been a senior official of the former Liberian regime headed by Charles Taylor or otherwise to have been or be a close ally or associate of Charles Taylor or the former Liberian regime; (3) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, the unlawful depletion of Liberian resources, the removal of Liberian resources from that country, and the secreting of Liberian funds and property by any person whose property or interests in property are blocked pursuant to E.O. 13348; or (4) to be owned or controlled by, or acting or purporting to act for or on behalf of, directly or indirectly, any person whose property or interests in property are blocked pursuant to E.O. 13348. E.O. 13348 also prohibited the

direct or indirect importation into the United States of any round log or timber product originating in Liberia.

On May 23, 2007, OFAC issued the Former Liberian Regime of Charles Taylor Sanctions Regulations, 31 CFR part 593, as a final rule to implement E.O. 13348 (72 FR 28855, May 23, 2007).

On November 12, 2015, the President issued Executive Order 13710, "Termination of Emergency With Respect to the Actions and Policies of Former Liberian President Charles Taylor" (E.O. 13710). In E.O. 13710, the President found that the situation that gave rise to the declaration of a national emergency in E.O. 13348 had been significantly altered by Liberia's significant advances to promote democracy and the orderly development of its political, administrative, and economic institutions, including presidential elections in 2005 and 2011, which were internationally recognized as freely held; the 2012 conviction of, and 50-year prison sentence for, former Liberian President Charles Taylor and the affirmation on appeal of that conviction and sentence; and the diminished ability of those connected to former Liberian President Charles Taylor to undermine Liberia's progress. As a result, he terminated the national emergency declared in E.O. 13348 and revoked that order.

Accordingly, OFAC is removing the Former Liberian Regime of Charles Taylor Sanctions Regulations from the Code of Federal Regulations. Pursuant to section 202 of the National Emergencies Act (50 U.S.C. 1622) and section 1 of E.O. 13710, termination of the national emergency declared in E.O. 13348 shall not affect any action taken or proceeding pending that was not fully concluded or determined as of 2:00 p.m. eastern standard time on November 12, 2015 (the effective date of E.O. 13710), any action or proceeding based on any act committed prior to the effective date, or any rights or duties that matured or penalties that were incurred prior to the effective date.

*Technical Changes*

On June 10, 2016, OFAC announced on its Web site that it was terminating its fax-on-demand service due to a lack of user demand. OFAC is making technical changes to its regulations including to reflect the discontinuation of the fax-on-demand service.

The Reporting, Procedures and Penalties Regulations, 31 CFR part 501 (RPPR), set forth standard reporting and recordkeeping requirements and license application and other procedures relevant to the economic sanctions programs administered by OFAC. OFAC

is revising section 501.603 of the RPPR, which covers reports on blocked property, and section 501.801 of the RPPR, which covers licensing, in each case to remove references to OFAC's fax-on-demand service and to make certain other technical changes.

Appendix A to chapter V (Appendix A) sets forth information pertaining to OFAC's Specially Designated Nationals and Blocked Persons List. OFAC is making two revisions to Appendix A, in each case to remove references to OFAC's fax-on-demand service.

**Public Participation**

Because parts 501 and 593 and Appendix A to 31 CFR chapter V involve a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601–612) does not apply.

**Paperwork Reduction Act**

Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the collections of information contained in the RPPR have been approved by the Office of Management and Budget under control number 1505–0164. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

**List of Subjects in 31 CFR Parts 501 and 593 and Appendix A to Chapter V**

Administrative practice and procedure, Banks, Banking, Blocking of assets, Credit, Foreign trade, Imports, Liberia, Penalties, Reporting and recordkeeping requirements, Sanctions, Securities.

For the reasons set forth in the preamble, and under the authority of 3 U.S.C. 301; 50 U.S.C. 1601–1651; E.O. 13348, 69 FR 44885, 3 CFR, 2004 Comp., p. 189; E.O. 13710, 80 FR 71679, OFAC amends 31 CFR chapter V as follows:

**PART 501—REPORTING, PROCEDURES AND PENALTIES REGULATIONS**

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

**Authority:** 8 U.S.C. 1189; 18 U.S.C. 2332d, 2339B; 19 U.S.C. 3901–3913; 21 U.S.C. 1901–1908; 22 U.S.C. 287c; 22 U.S.C. 2370(a), 6009, 6032, 7205; 28 U.S.C. 2461 note; 31 U.S.C. 321(b); 50 U.S.C. 1701–1706; 50 U.S.C. App. 1–44.

**Subpart C—Reports**

- 2. Amend § 501.603 to revise the second sentence of paragraph (b)(2)(ii) to read as follows:

**§ 501.603 Reports on blocked property.**

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \*

(ii) \* \* \* Copies of Form TDF 90–22.50 may be obtained directly from the Office of Foreign Assets Control by downloading the form from the OFAC Reporting and License Application Forms page on OFAC’s Web site (<https://www.treasury.gov/resource-center/sanctions/Pages/forms-index.aspx>). \* \* \*

\* \* \* \* \*

**Subpart E—Procedures**

- 3. Amend § 501.801 to revise the penultimate sentence of paragraph (b)(2) to read as follows:

**§ 501.801 Licensing.**

\* \* \* \* \*

(b) \* \* \*

(2) \* \* \* The form, which requires information regarding the date of the blocking, the financial institutions involved in the transfer, and the beneficiary and amount of the transfer, may be obtained from the OFAC Reporting and License Application Forms page on OFAC’s Web site (<https://www.treasury.gov/resource-center/sanctions/Pages/forms-index.aspx>) or the Office of Foreign Assets Control, Licensing Division, U.S. Department of the Treasury, 1500 Pennsylvania Avenue NW., Freedman’s Bank Building, Washington, DC 20220. \* \* \*

\* \* \* \* \*

**PART 593—[REMOVED]**

- 4. Remove part 593.

**Appendix A to Chapter V—[AMENDED]**

- 5. The authority citation for appendix A to chapter V continues to read as follows:

**Authority:** 3 U.S.C. 301; 8 U.S.C. 1182, 1189; 18 U.S.C. 2339 B; 21 U.S.C. 1901–1908; 22 U.S.C. 287 c; 31 U.S.C. 321(b); 50 U.S.C. App. 1–44; Public Law 110–286, 122 Stat. 2632 (50 U.S.C. 1701 note); Public Law 111–195, 124 Stat. 1312 (22 U.S.C. 8501–8551); Public Law 112–81, 125 Stat. 1298 (22 U.S.C. 8513a); Public Law 112–158, 126 Stat. 1214 (22 U.S.C. 8701–8795); Public Law 112–208, 126 Stat. 1502; Public Law 113–278, 128 Stat. 3011 (50 U.S.C. 1701 note).

- 6. Amend appendix A to chapter V as follows:

■ a. Remove the third introductory paragraph, which states: “Finally, the public may obtain information on blocking, designation, identification, and delisting actions through OFAC’s fax-on-demand service, at 202/622–0077.”

■ b. Remove the fifth sentence of note 5, which states: “Information also is available by fax through OFAC’s fax-on-demand service, at 202/622–0077.”

**John E. Smith,**

*Acting Director, Office of Foreign Assets Control.*

[FR Doc. 2016–26717 Filed 11–3–16; 8:45 am]

**BILLING CODE 4810–AL–P**

**DEPARTMENT OF THE TREASURY****Financial Crimes Enforcement Network****31 CFR Parts 1010, 1020, 1021, 1022, 1023, 1024, 1025, and 1026**

**RIN 1506–AB32**

**Technical Amendments to Various Bank Secrecy Act Regulations**

**AGENCY:** Financial Crimes Enforcement Network (“FinCEN”), Treasury.

**ACTION:** Final rule.

**SUMMARY:** FinCEN is issuing this final rule to make a number of technical amendments. This final rule updates various sections of the regulations implementing the Bank Secrecy Act (“BSA”) by removing or replacing outdated references to obsolete BSA forms, removing references to outdated recordkeeping storage media, and replacing several other outdated terms and references.

**DATES:** Effective November 4, 2016.

**FOR FURTHER INFORMATION CONTACT:** FinCEN Resource Center at 1–800–767–2825 or 1–703–905–3591 (not a toll free number) and select option 3 for regulatory questions. Email inquiries can be sent to [FRC@fincen.gov](mailto:FRC@fincen.gov).

**SUPPLEMENTARY INFORMATION:****I. Statutory and Regulatory Background**

The BSA, Titles I and II of Public Law 91–508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951–1959, and 31 U.S.C. 5311–5314 and 5316–5332, authorizes the Secretary of the Treasury (“Secretary”), among other things, to issue regulations requiring persons to keep records and file reports that are determined to have a high degree of usefulness in criminal, tax, regulatory, and counter-terrorism matters. The regulations implementing the BSA appear at 31 CFR chapter X. The Secretary’s authority to administer the

BSA has been delegated to the Director of FinCEN.<sup>1</sup>

**II. Discussion of Changes**

In 2010, FinCEN reorganized the BSA’s implementing regulations previously appearing in part 103 of title 31 of the Code of Federal Regulations by transferring them to a new chapter in title 31—chapter X.<sup>2</sup> When chapter X was published, BSA reporting forms were specific to particular segments of the financial industry, and the names of those industry-specific forms currently appear in chapter X. FinCEN has since revised a number of forms so that they may be used by a range of industry segments and no longer carry industry-specific designations. The transition from industry-specific forms began by replacing the various currency transaction reports previously used by different industry segments, with an industry-wide, single BSA form for currency transactions—the Bank Secrecy Act Currency Transaction Report. FinCEN has also replaced the five industry-specific suspicious activity reports with a combined suspicious activity report, the Bank Secrecy Act Suspicious Activity Report, which is now used by various financial industry segments. This final rule revises the BSA regulations by updating them to reflect the names of the new reports.

A number of recordkeeping requirements in 31 CFR chapter X refer to the use of a type of data storage media—microfilm—that is no longer in wide use (or in many cases not even available) for copies of records required to be kept. This final rule removes those outdated references. If, however, a financial institution continues to use microfilm for copies, the rule change does not require the financial institution to use a different type of media for copies, nor does it require existing copies that were made on microfilm to be transferred to newer types of media.

Finally, this final rule replaces several other outdated terms or references where appropriate such as the reference to filing reports with the Commissioner of Internal Revenue (“IRS”). Effective July 1, 2011, all BSA reports are electronically filed with FinCEN, not the IRS.

**III. Administrative Procedure Act and Effective Date**

Under 5 U.S.C. 553(b)(3)(B) of the Administrative Procedure Act (“APA”), an agency may, for good cause, find (and incorporate the finding and a brief statement of reasons in the rules issued)

<sup>1</sup> Treasury Order 180–01 (Sept. 26, 2002).

<sup>2</sup> See 75 FR 5806 (Oct. 26, 2010).