BASE PENALTY MATRIX

Voluntary Self-Disclosure?	Egregious Case?	
	NO	YES
YES	(1) One-Half of the Transaction Value (capped at $125,000 per violation).	(3) Up to One-Half of the Applicable Statutory Maximum.
NO	(2) Applicable Schedule Amount (capped at $250,000 per violation).	(4) Up to the Applicable Statutory Maximum.

Note to paragraph IV.B.2. The dollar values that appear in IV.B.2.a.i and .ii, and in the Base Penalty Matrix may be adjusted in accordance with U.S. law, *e.g.,* the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Pub. L. 114–74, sec. 701).

b. Adjustment for Applicable Relevant Factors.

In non-egregious cases the base penalty amount of the civil monetary penalty may be adjusted to reflect applicable Factors for Administrative Action set forth in Section III of these Guidelines. In egregious cases the base penalty amount of the civil monetary penalty will be set based on applicable Factors for Administrative Action set forth in Section III of these Guidelines. A Factor may result in a lower or higher penalty amount depending upon whether it is aggravating or mitigating or otherwise relevant to the circumstances at hand. Mitigating factors may be combined for a greater reduction in penalty, but mitigation will generally not exceed 75 percent of the base penalty, except in the case of VSDs, where full suspension is possible with conditions in certain non-egregious cases. Subject to this limitation, as a general matter, in those cases where the following Mitigating Factors are present, OEE will adjust the base penalty amount in the following manner:

In cases involving exceptional cooperation with OEE as set forth in Mitigating Factor G, but no voluntary self-disclosure as defined in § 764.5 of the EAR, the base penalty amount generally will be reduced between 25 and 40 percent. Exceptional cooperation in cases involving voluntary self-disclosure may also be considered as a further mitigating factor.

In cases involving a Respondent's first violation, the base penalty amount generally will be reduced by up to 25 percent. An apparent violation generally will be considered a ''first violation'' if the Respondent has not been convicted of an export-related criminal violation or been subject to a BIS final order in five years, preceding the date of the transaction giving rise to the apparent violation. A group of substantially similar apparent violations addressed in a single Charging Letter shall be considered as a single violation for purposes of this subsection. In those cases where a prior Charging Letter within the preceding five years involved conduct of a substantially different nature from the apparent violation at issue, OEE may consider the apparent violation at issue a ''first violation.'' Warning Letters issued within the preceding five years are not factored into account for purposes of determining eligibility for ''first offense'' mitigation. When an acquiring firm takes reasonable steps to uncover, correct, and disclose or cause to be disclosed to OEE conduct that gave rise to violations by an acquired business before the acquisition, OEE typically will not take such violations into account as an aggravating factor in settling other violations by the acquiring firm.

iii. In cases involving charges pertaining to transactions where a license exception would have been available or a license would likely have been approved had one been sought as set forth in Mitigating Factor H, the base penalty amount generally will be reduced by up to 25 percent.

In all cases, the penalty amount will not exceed the applicable statutory maximum. Similarly, while mitigating factors may be combined for a greater reduction in penalty, mitigation will generally not exceed 75 percent of the base penalty, except in the case of VSDs, where full suspension is possible with conditions in certain non-egregious cases.

C. Settlement Procedures.

The procedures relating to the settlement of administrative enforcement cases are set forth in § 766.18 of the EAR.

Dated: June 15, 2016.

David W. Mills,

Assistant Secretary for Export Enforcement.

[FR Doc. 2016–14770 Filed 6–21–16; 8:45 am]

BILLING CODE 3510–33–P

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 229, 230, 239 and 249

[Release Nos. 33–10099; 34–78088; File No. S7–08–10]

Asset-Backed Securities Disclosure and Registration

AGENCY: Securities and Exchange Commission.

ACTION: Technical amendment.

SUMMARY: This release makes technical corrections to rules that were published in the **Federal Register** on September 24, 2014 (79 FR 57184). The Commission adopted revisions to Regulation AB and other rules governing the offering process, disclosure, and reporting for asset-backed securities. These technical amendments are being published to restore rule text that was inadvertently changed, revise outdated cross-references, and make other technical corrections.

DATES: Effective June 22, 2016.

FOR FURTHER INFORMATION CONTACT: Rolaine S. Bancroft, Senior Special Counsel, at (202) 551–3850; Division of Corporation Finance, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–3628.

SUPPLEMENTARY INFORMATION: We are making technical amendments to § 229.1100,[1] § 229.1104,[2] § 229.1105,[3] § 229.1115,[4] § 229.1125,[5] § 230.405,[6] § 230.456,[7] Form SF–3,[8] Form 8–K[9] and Form 10–D.[10]

List of Subjects

17 CFR Part 230

Advertising, Reporting and recordkeeping requirements, Securities.

17 CFR Parts 229, 239 and 249

Reporting and recordkeeping requirements, Securities.

Text of Amendments

For the reasons set out above, Title 17, Chapter II, of the Code of Federal Regulations is amended as follows:

PART 229—STANDARD INSTRUCTIONS FOR FILING FORMS UNDER SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934 AND ENERGY POLICY AND CONSERVATION ACT OF 1975—REGULATION S–K

■ 1. The authority citation for part 229 continues to read in part as follows:

[1] 17 CFR 229.1100.
[2] 17 CFR 229.1104.
[3] 17 CFR 229.1105.
[4] 17 CFR 229.1115.
[5] 17 CFR 229.1125.
[6] 17 CFR 230.405.
[7] 17 CFR 230.456.
[8] 17 CFR 239.45.
[9] 17 CFR 249.308.
[10] 17 CFR 249.312.

Authority: 15 U.S.C. 77e, 77f, 77g, 77h, 77j, 77k, 77s, 77z–2, 77z–3, 77aa(25), 77aa(26), 77ddd, 77eee, 77ggg, 77hhh, 77iii, 77jjj, 77nnn, 77sss, 78c, 78i, 78j, 78j–3, 78l, 78m, 78n, 78n–1, 78o, 78u–5, 78w, 78ll, 78 mm, 80a–8, 80a–9, 80a–20, 80a–29, 80a–30, 80a–31(c), 80a–37, 80a–38(a), 80a–39, 80b–11 and 7201 *et seq.* 18 U.S.C. 1350; Sec. 953(b), Pub. L. 111–203, 124 Stat. 1904; Sec. 102(a)(3), Pub. L. 112–106, 126 Stat. 309; and Sec. 84001, Pub. L. 114–94, 129 Stat. 1312.

* * * * *

§ 229.1100 [Amended]

■ 2. Amend § 229.1100 in paragraph (a) by removing ''(§§ 229.1100 through 229.1123)'' and adding in its place ''(§§ 229.1100 through 229.1125)''.

§ 229.1104 [Amended]

■ 3. Amend § 229.1104 in paragraph (e)(2) by adding ''in response to Rule 15Ga–1'' after ''(as that term is defined in Section 15G(a) of the Securities Exchange Act of 1934)''.

§ 229.1105 [Amended]

■ 4. Amend § 229.1105 in paragraph (a)(3)(ii) by removing ''135 days after'' and adding in its place ''135 days of''.

§ 229.1115 [Amended]

■ 5. Amend § 229.1115 in Instruction 1 to Item 1115 by removing '', 3 and 5 to Item 1114'' and adding in its place ''and 4 to Item 1114(b)''.

§ 229.1125 [Amended]

■ 6. Amend Appendix to § 229.1125—Schedule AL in Item 4(i) and Item 4(j) by removing all references to ''loan'' and adding in their place ''lease''; and removing all references to ''loans'' and adding in their place ''leases''.

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

■ 7. The authority citation for part 230 continues to read, in part, as follows:

Authority: 15 U.S.C. 77b, 77b note, 77c, 77d, 77d note, 77f, 77g, 77h, 77j, 77r, 77s, 77z–3, 77sss, 78c, 78d, 78j, 78*l,* 78m, 78n, 78*o,* 78*o*–7 note, 78t, 78w, 78*ll*(d), 78mm, 80a–8, 80a–24, 80a–28, 80a–29, 80a–30, and 80a–37, and Pub. L. 112–106, sec. 201(a), 126 Stat. 313 (2012), unless otherwise noted.

* * * * *

§ 230.405 [Amended]

■ 8. Amend § 230.405 in paragraph (1)(i) of the definition of an *Ineligible issuer,* by removing the phrase ''General Instruction I.A.4 of Form S–3'' and adding in its place ''General Instruction I.A.2 of Form SF–3''

§ 230.456 [Amended]

■ 9. Amend § 230.456 in paragraph (c)(3) by removing ''post-effective amendment or''.

PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

■ 10. The authority citation for part 239 continues to read, in part, as follows:

Authority: 15 U.S.C. 77c, 77f, 77g, 77h, 77j, 77s, 77z–2, 77z–3, 77sss, 78c, 78*l,* 78m, 78n, 78o(d), 78o–7 note, 78u–5, 78w(a), 78*ll,* 78mm, 80a–2(a), 80a–3, 80a–8, 80a–9, 80a–10, 80a–13, 80a–24, 80a–26, 80a–29, 80a–30, 80a–37, and Sec. 71003 and Sec. 84001, Pub. L. 114–94, 129 Stat. 1312, unless otherwise noted.

§ 239.45 [Amended]

■ 11. Amend Form SF–3 (referenced in § 239.45) in Note 2 of Notes to the ''Calculation of Registration Fee'' Table (''Fee Table'') by removing ''in a post-effective amendment to the registration statement or''.

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

■ 12. The authority citation for part 249 continues to read, in part, as follows:

Authority: 15 U.S.C. 78a *et seq.* and 7201 *et seq.;* 12 U.S.C. 5461 *et seq.;* and 18 U.S.C. 1350, unless otherwise noted.

* * * * *

§ 249.308 [Amended]

■ 13. Amend Form 8–K (referenced in § 249.308) by amending Item 6.05 to remove ''Form S–3 (17 CFR 239.13)'' and add in its place ''Form SF–3 (17 CFR 239.45)''.

§ 249.312 [Amended]

■ 14. Amend Form 10–D (referenced in § 249.312) by amending Item 1 in Part I:

■ a. to remove all references to the phrase ''Item 1121(a) and (b)'' and replacing them with the phrase ''Item 1121(a), (b) and (c)''; and

■ b. to remove the phrase ''17 CFR 229.1121(a) and (b)'' and add in its place ''17 CFR 1121(a), (b) and (c)''.

Dated: June 16, 2016.

Brent J. Fields,

Secretary.

[FR Doc. 2016–14730 Filed 6–21–16; 8:45 am]

BILLING CODE 8011–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 1271

[Docket No. FDA–2014–N–1484]

Revisions to Exceptions Applicable to Certain Human Cells, Tissues, and Cellular and Tissue-Based Products

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA or Agency or we) is issuing this final rule to amend certain regulations regarding donor eligibility, including the screening and testing of donors of particular human cells, tissues, and cellular and tissue-based products (HCT/Ps), and related labeling. This final rule is in response to our enhanced understanding in this area and in response to comments from stakeholders regarding the importance of embryos to individuals and couples seeking access to donated embryos.

DATES: This rule is effective August 22, 2016.

ADDRESSES: For access to the docket to read background documents or comments received, go to *http://www.regulations.gov* and insert the docket number found in brackets in the heading of this final rule into the ''Search'' box and follow the prompts, and/or go to the Division of Dockets Management, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Jessica T. Walker, 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:

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