

For valuation dates occurring in the month—	The values of $i_t$ are:					
	$i_t$	for $t =$	$i_t$	for $t =$	$i_t$	for $t =$
April–June 2019 .....	0.0307	1–20	0.0305	>20	N/A	N/A

Issued in Washington, DC, by  
**Hilary Duke,**  
*Assistant General Counsel, Pension Benefit Guaranty Corporation.*  
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**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**31 CFR Parts 561 and 566**

**List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)**

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

**ACTION:** Final rule; technical amendments.

**SUMMARY:** The Department of the Treasury’s Office of Foreign Assets Control (OFAC) is amending the Iranian Financial Sanctions Regulations (IFSR) and the Hizballah Financial Sanctions Regulations (HFSR) to incorporate references to the new List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List).

**DATES:** *Effective:* March 15, 2019.

**FOR FURTHER INFORMATION CONTACT:** OFAC: 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 website ([www.treasury.gov/ofac](http://www.treasury.gov/ofac)).

**Background**

Pursuant to a number of sanctions authorities, the Secretary of the Treasury may impose strict conditions or prohibitions on the opening or maintaining of correspondent or

payable-through accounts in the United States (collectively, “correspondent or payable-through account sanctions”) for a foreign financial institution (FFI) that the Secretary determines knowingly engages in specified transactions. As a general matter, the Secretary of the Treasury further delegates these authorities to the Director of OFAC.

With respect to the first two such authorities established, OFAC created separate sanctions lists to identify FFIs subject to correspondent or payable-through account sanctions. Specifically, §§ 561.201 and 561.203 of the IFSR (31 CFR part 561) provide that, upon a finding by the Secretary of the Treasury that an FFI knowingly engages in one or more of the activities described in § 561.201(a) or § 561.203(a), the Secretary of the Treasury will impose correspondent or payable-through account sanctions on the FFI. Notes to §§ 561.201(b) and 561.203(a) further clarify that the name of the FFI and the relevant prohibition or strict condition(s) will be added to the List of Foreign Financial Institutions Subject to Part 561 List (Part 561 List) on the Iran sanctions page on OFAC’s website ([www.treasury.gov/ofac](http://www.treasury.gov/ofac)) and published in the **Federal Register**. As of March 14, 2019, there was one FFI on the Part 561 List.

Similarly, § 566.201 of the HFSR provides that, upon a finding by the Secretary of the Treasury that an FFI knowingly engages in one or more of the activities described in § 566.201(a), the Secretary of the Treasury will impose correspondent or payable-through account sanctions on the FFI. A note to § 566.201(c) further explains that the name of the FFI and the relevant prohibition or strict condition(s) will be added to the HFSR List on the Counter Terrorism Sanctions web page on OFAC’s website ([www.treasury.gov/ofac](http://www.treasury.gov/ofac)) and published in the **Federal Register**. As of March 14, 2019, there was no HFSR List on the OFAC website because no FFI has been listed pursuant to the HFSR.

Additional sanctions authorities provide for correspondent or payable-through account sanctions, including the Ukraine Freedom Support Act of 2014, as amended (UFSA), and Executive Order 13810 of September 20, 2017 (“Imposing Additional Sanctions

With Respect to North Korea”) (82 FR 44705, September 25, 2017), as implemented in the North Korea Sanctions Regulations, 31 CFR part 510 (NKSr). In order to avoid potential confusion resulting from multiple OFAC lists addressing similar sanctions, on March 1, 2018, OFAC announced on its website the creation of a consolidated list, the List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List), which would list any FFI subject to correspondent or payable-through account sanctions pursuant to UFSA or the NKSr, as well as the relevant prohibition or strict condition(s). Also on March 1, 2018, OFAC stated that the CAPTA List eventually would be expanded to include FFIs subject to correspondent or payable-through account sanctions pursuant to additional authorities, including the IFSR and the HFSR. As of March 14, 2019, the CAPTA List did not include any FFIs subject to correspondent or payable-through account sanctions under UFSA or the NKSr because OFAC has not identified any such FFIs.

This rule amends the IFSR and the HFSR to replace 14 references to the Part 561 List and seven references to the HFSR List, respectively, with references to the CAPTA List. OFAC also is making a conforming change in the IFSR and the HFSR to the location on OFAC’s website for the CAPTA List.

On March 15, 2019, by separate action, OFAC is expanding the CAPTA List on the OFAC website to include FFIs subject to correspondent or payable-through account sanctions pursuant to the IFSR and the HFSR. As part of this change, OFAC will move the name of the FFI on the Part 561 List, along with the relevant prohibition or strict condition(s) to which the FFI is subject, to the CAPTA List. The CAPTA List will thus supersede the Part 561 List in its entirety, and the Part 561 List will be removed from OFAC’s website. Following the publication of this rule, unless otherwise specified, the names of any FFIs that are determined by the Secretary of the Treasury to be subject to correspondent or payable-through account sanctions will be placed on the CAPTA List. The CAPTA List will be accessible via OFAC’s website and

updates to the list will be published on OFAC's website and in the **Federal Register**.

### Public Participation

Because the amendment of the IFSR and HFSR involves 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, as well as the provisions of Executive Order 13771, 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

With respect to section 2 (44 U.S.C. 3507) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the collection of information in § 561.601 of the IFSR is made pursuant to OFAC's Reporting, Procedures and Penalties Regulations, 31 CFR part 501 (RPPR), and has been approved by the Office of Management and Budget (OMB) under control number 1505–0164. The collection of information in § 561.504 of the IFSR has been approved by OMB under control number 1505–0243.

The collection of information in § 566.601 of the HFSR is made pursuant to the RPPR and has been approved by OMB under control number 1505–0164. The collection of information in § 566.504(b) of the HFSR has been approved by OMB under control number 1505–0255. With respect to all of the foregoing collections of information, 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

#### 31 CFR Part 561

Administrative practice and procedure, Banks, Banking, Blocking of assets, Correspondent account sanctions, Credit, Foreign financial institutions, Foreign Trade, Iran, Penalties, Reporting and recordkeeping requirements, Securities, Services.

#### 31 CFR Part 566

Administrative practice and procedure, Banks, Banking, Blocking of assets, Correspondent account sanctions, Credit, Foreign financial institutions, Foreign Trade, Hizballah, Penalties, Reporting and recordkeeping requirements, Securities, Services.

### Authority and Issuance

For the reasons set forth in the preamble, the Department of the Treasury's Office of Foreign Assets Control amends 31 CFR parts 561 and 566 as follows:

### PART 561—IRANIAN FINANCIAL SANCTIONS REGULATIONS

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

**Authority:** 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 110–96, 121 Stat. 1011 (50 U.S.C. 1705 note); Pub. L. 111–195, 124 Stat. 1312 (22 U.S.C. 8501–8551); Pub. L. 112–81, 125 Stat. 1298 (22 U.S.C. 8513a); Pub. L. 112–158, 126 Stat. 1214 (22 U.S.C. 8701–8795); E.O. 12957, 60 FR 14615, 3 CFR, 1995 Comp., p. 332; E.O. 13553, 75 FR 60567, 3 CFR, 2010 Comp., p. 253; E.O. 13599, 77 FR 6659, 3 CFR, 2012 Comp., p. 215; E.O. 13622, 77 FR 45897, 3 CFR, 2012 Comp., p. 290; E.O. 13628, 77 FR 62139, 3 CFR, 2012 Comp., p. 314.

### Subpart B—Prohibitions

#### § 561.201 [Amended]

- 2. Amend § 561.201 as follows:
- a. In the last sentence of the introductory text, remove “List of Foreign Financial Institutions Subject to Part 561 (the “Part 561 List”)” and add in its place “List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Iran Sanctions page”;
  - b. In the note to paragraph (b), remove “Part 561 List” and add in its place “CAPTA List”, and remove “on the Iran Sanctions page”;
  - c. In the note to paragraph (c), remove “Part 561 List” and add in its place “CAPTA List”, and remove “on the Iran Sanctions page”; and
  - d. In the note to § 561.201, in the introductory text and paragraph (4), remove “Part 561 List” and add in its place in both locations “CAPTA List”.

#### § 561.203 [Amended]

- 3. Amend § 561.203 as follows:
- a. In note 2 to paragraph (a), remove “List of Foreign Financial Institutions Subject to Part 561 (the “Part 561 List”)” and add in its place “List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Iran Sanctions page”;
  - b. In paragraph (j)(4), remove “List of Foreign Financial Institutions Subject to Part 561 (the “Part 561 List”)” and add in its place “List of Foreign Financial Institutions Subject to Correspondent

Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Iran Sanctions page”; and

- c. In paragraph (k)(6), remove “Part 561 List” and add in its place “CAPTA List”.

#### § 561.204 [Amended]

- 4. In note 1 to paragraph (a), remove “List of Foreign Financial Institutions Subject to Part 561 (the “Part 561 List”)” and add in its place “List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Iran Sanctions page”.

### Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

#### § 561.504 [Amended]

- 5. Amend § 561.504 as follows:
- a. In paragraph (a) introductory text, remove “Part 561 List” and add in its place “List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Iran Sanctions page”;
  - b. In paragraph (b), remove “Part 561 List” and add in its place “CAPTA List”, and remove “on the Iran Sanctions page”;
  - c. In paragraph (c), remove “Part 561 List” and add in its place “CAPTA List”;
  - d. In paragraph (d), remove “Part 561 List” and add in its place “CAPTA List”; and
  - e. In the note to § 561.504, remove “Part 561 List” and add in its place “CAPTA List”, and remove “on the Iran Sanctions page”.

### PART 566—HIZBALLAH FINANCIAL SANCTIONS REGULATIONS

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

**Authority:** 3 U.S.C. 301; 31 U.S.C. 321(b); 50 U.S.C. 1601–1651, 1701–1706; Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 110–96, 121 Stat. 1011 (50 U.S.C. 1705 note); Pub. L. 114–102, 129 Stat. 2205 (50 U.S.C. 1701 note).

### Subpart B—Prohibitions

#### § 566.201 [Amended]

- 7. Amend § 566.201 as follows:
- a. In the note to paragraph (b), remove “HFSR List” and add in its place “List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”, and remove “on the Counter Terrorism Sanctions page”; and
  - b. In the note to paragraph (c), remove “HFSR List” and add in its place

“CAPTA List”, and remove “on the Counter Terrorism Sanctions page”.

### Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

#### § 566.504 [Amended]

- 8. Amend § 566.504 as follows:
  - a. In paragraph (a) introductory text, remove “in the HFSR List” and add in its place “on the List of Foreign Financial Institutions Subject to Correspondent Account or Payable-Through Account Sanctions (CAPTA List)”;
  - b. In paragraph (b), remove “HFSR List” and add in its place “CAPTA List”, and remove “on the Hizballah Sanctions page”;
  - c. In paragraph (c), remove “HFSR List” and add in its place “CAPTA List”;
  - d. In paragraph (d), remove “HFSR List” and add in its place “CAPTA List”; and
  - e. In the note to § 566.504, remove “HFSR List” and add in its place “CAPTA List”, and remove “on the Counter Terrorism Sanctions page”.

Dated: March 12, 2019.

**Andrea Gacki,**

*Director, Office of Foreign Assets Control.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[Docket Number USCG-2018-0388]

RIN 1625-AA01

#### Anchorage Ground; Sabine Pass, TX

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is amending the anchorage regulations for the Sabine Pass Channel, Sabine Pass, TX anchorage ground for the navigational safety of vessels entering and exiting a new liquefied natural gas terminal mooring basin being constructed on the eastern waterfront of the Sabine Pass Channel. This amendment will reduce the overall size of the existing anchorage.

**DATES:** This rule is effective April 15, 2019.

**ADDRESSES:** To view documents mentioned in this preamble as being available in the docket, go to <https://www.regulations.gov>, type USCG-2018-

0388 in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rule.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or email Mr. Scott K. Whalen, Marine Safety Unit Port Arthur, U.S. Coast Guard; telephone (409) 719-5086, email: [Scott.K.Whalen@uscg.mil](mailto:Scott.K.Whalen@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

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

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

On June 15, 2018, we published a notice of inquiry requesting public comments in response to Sabine Pass LNG’s request to disestablish the anchorage ground titled Anchorage Ground, Sabine Pass, TX (83 FR 27932). The Coast Guard received three comments in response to that notice of inquiry.

On December 21, 2018, we published a notice of proposed rulemaking (NPRM) entitled Anchorage Ground; Sabine Pass, TX in the **Federal Register** (83 FR 65609). No public meeting was requested and none was held. Additionally, no comments concerning the proposed rule were received.

##### III. Legal Authority and Need for Rule

The Coast Guard is amending 33 CFR 110.196 under the authority in 33 U.S.C. 471. This amendment reduces the overall dimensions of the Sabine Pass Channel anchorage ground. This action will provide for the safe navigation of vessels entering and exiting Cheniere Energy’s new vessel berth while retaining a portion of the anchorage for use by those vessels that continue to use the anchorage grounds.

##### IV. Discussion of Comments, Changes, and the Rule

As noted above, we received no comments on our NPRM published December 21, 2018. There are no changes in the regulatory text of this rule from the proposed rule in the NPRM.

As discussed in the NPRM, this amendment reduces the overall dimensions of Sabine Pass anchorage ground. Coordinates identifying the anchorage ground’s new boundaries appear in the regulatory text at the end of this document.

## 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. Executive Order 13771 directs agencies to control regulatory costs through a budgeting process. 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), and pursuant to OMB guidance it is exempt from the requirements of Executive Order 13771.

This regulatory action determination is based on current information, which indicates that the anchorage ground is rarely used, and that the overall reduction in anchorage area will not significantly impact those vessels desiring to use the anchorage.

### 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 received no comments from the Small Business Administration on this rulemaking. 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 operations of vessels intending to use the anchorage may be small entities, for the reasons state 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