

SUPPORTING STATEMENT
OMB Control No. 1505-0164
Reporting, Procedures and Penalties Regulations

This filing contains the information required by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501–3521, and 5 CFR part 1320.

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary.

This information collection request is submitted to renew and revise the information collection authority in the Office of Foreign Assets Control's (OFAC) Reporting, Procedures and Penalties Regulations (31 CFR part 501) ("the Regulations"), and certain other parts of 31 CFR chapter V.

The Regulations and other parts of 31 CFR chapter V are implemented pursuant to the Trading With the Enemy Act (50 U.S.C. § 4301 *et seq.*), the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the United Nations Participation Act of 1945 (22 U.S.C. 287c), and other laws. The collections of information relevant to this request are contained in §§ 501.601 through 501.605, 501.801, and 501.804 through 501.807, and certain other parts of 31 CFR chapter V, and pertain to the operation of various economic sanctions programs administered by OFAC under 31 CFR chapter V.

In addition, and as discussed in further detail below, OFAC seeks to consolidate within this information collection request five existing information collection requests, which are relevant to 31 CFR §§ 501.801, 515.572, 561.504, and 566.504.

Background on Regulatory Provisions

Section 501.601 addresses the maintenance of records, and § 501.602 relates to OFAC demands for information relating to any transaction or property subject to the provisions of 31 CFR chapter V. Section 501.603 imposes reporting requirements pertaining to blocked property and retained funds, as well as blocked property that is unblocked or transferred. OFAC requires this information to monitor compliance with regulatory requirements, to support diplomatic negotiations concerning the targets of sanctions, to support settlement negotiations addressing U.S. claims, and to respond to Congressional reporting requirements. Section 501.604 requires U.S. persons to file reports for compliance purposes where a transaction is not required to be blocked but where processing or otherwise engaging in the transaction would nonetheless violate, or facilitate a transaction that is prohibited under, other provisions in 31 CFR chapter V. Section 501.605 requires reporting of information pertaining to litigation, arbitration, and other binding alternative dispute resolution proceedings in the United States to prevent the intentional or inadvertent transfer through such proceedings of blocked property or retained funds. Sections 501.801, 501.804, and 501.805 relate to license requests, the procedures for rulemaking, and records requests, respectively. Section 501.806 sets forth the procedures to be followed by a

person seeking to unblock funds that the person believes they have blocked due to mistaken identity or typographical or similar errors. Section 501.807 sets forth the procedures to be followed by a person seeking administrative reconsideration of the inclusion of a person or property (e.g., a vessel) on any list or identification of sanctioned persons or property maintained by OFAC. OFAC maintains mandatory and voluntary forms for the bulk of these collections and is not making major changes to these existing forms.

In addition, for the sake of administrative efficiency, this filing incorporates the following information collection requests (ICRs), which have been previously approved under the following separate OMB Control Numbers:

(1) *Persons Providing Remittance Forwarding Services in relation to Cuba* (OMB Control No. 1505-0167), which relates to the general license in 31 CFR § 515.572 requiring remittance-forwarding service providers who are persons subject to U.S. jurisdiction to maintain for at least five years¹ a certification from each customer indicating the regulatory provision or, if relevant, the number of the specific license, that authorizes the person to send the remittance to Cuba;

(2) *Persons Providing Travel and Carrier Services in relation to Cuba* (OMB Control No. 1505-0168), which relates to the general license in 31 CFR § 515.572 requiring travel and carrier service providers who are persons subject to U.S. jurisdiction to maintain for at least five years a certification from each customer indicating the regulatory provision or, if relevant, the number of the specific license, that authorizes the person to travel to Cuba;

(3) *Iranian Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts* (OMB Control No. 1505-0243), which relates to the general license in 31 CFR § 561.504 requiring U.S. financial institutions to submit a report to OFAC within 30 days of closing a correspondent or payable-through account for a foreign financial institution determined to have engaged in certain sanctionable conduct under Iran-related sanctions;

(4) *Hizballah Financial Sanctions Regulations Report on Closure by U.S. Financial Institutions of Correspondent Accounts and Payable-Through Accounts* (OMB Control No. 1505-0255), which relates to the general license in 31 CFR § 566.504 requiring U.S. financial institutions to submit a report to OFAC within 30 days of closing a correspondent or payable-through account for a foreign financial institution determined to have engaged in certain sanctionable conduct under Hizballah-related sanctions; and

(5) *OFAC Application for the Release of Blocked Funds* (OMB Control No. 1505-0170), which relates to the OFAC specific license application that provides a standardized method of application for all applicants seeking the unblocking of funds, as required under 31 CFR § 501.801.

Because the above ICRs are similar in kind to the information collections already covered under this control number relating to other reports associated with general licenses and other

¹ As discussed in additional detail *infra*, OFAC has recently issued a rule to extend the recordkeeping period to 10 years from five years for both Remittance Forwarding and Travel and Carrier Service Providers to match the updated statute of limitations for the International Emergency Economic Powers Act (IEEPA) and the Trading with the Enemy Act (TWEA) violations. The 10-year recordkeeping period will be effective on March 12, 2025.

specific license applications, they are being consolidated herein under OMB Control No. 1505-0164.

On May 10, 2024, OFAC published an interim final rule (89 FR 40372) (May 2024 Interim Final Rule) with a 30-day public comment period to solicit public comments on mandatory electronic reporting and certain modifications and clarifications of other information collection provisions. The May 2024 Interim Final Rule went into effect on August 8, 2024. As such, OFAC mandates electronic reporting using the OFAC Reporting System (ORS) for initial reports of blocked property and rejected transactions, as well as Annual Reports of Blocked Property (ARBP) (although filers may request an exception for unique and extraordinary circumstances). For those filers who have been granted an exception to file reports of blocked property, ARBPs, or rejected transactions outside of ORS, OFAC will continue to maintain the following approved forms on its website: Report on Blocked Property – Financial, TD-F 93.02; Report on Rejected Transactions, TD-F 93.07; Report on Blocked Property – Tangible/Real/Other Non-Financial Property, TD-F 93.08; Annual Report of Blocked Property form, TD-F 90-22.50. OFAC also maintains voluntary forms for submission of certain other information required as a part of the information collections covered by this authority, including the following approved forms: TSRA License Application, TD-F 93.04; License Application Cover Sheet, TD-F 98-22.61; and Application for the Release of Blocked Funds TD-F 90-22.54. As part of this renewal, OFAC is making minor updates to the License Application Cover Sheet, TD-F 98-22.61. The other forms remain unchanged.

In addition, OFAC issued a new form, REPO for Ukrainians Act Report Form, TD-F 93.09, to implement a new reporting requirement pursuant to the Rebuilding Economic Prosperity and Opportunity for Ukrainians Act (the “REPO for Ukrainians Act”), for financial institutions holding Russian sovereign assets, if not previously reported to OFAC. Any other information collections covered by this authority do not have mandatory or voluntary forms.

On September 13, 2024, OFAC published an interim rule (89 FR 74832) with a 30-day public comment period to solicit public comments on amending the Regulations to extend the recordkeeping requirements codified at 31 CFR § 501.601, paragraph IV.B of Appendix A to part 501, and 31 CFR § 515.572 from five to 10 years, consistent with the statute of limitations for violations of certain sanctions prohibitions administered by OFAC.² Although the statutes of limitations for violations of certain other sanctions prohibitions, including those under the Foreign Narcotics Kingpin Designation Act, the Clean Diamond Trade Act, and the Antiterrorism and Effective Death Penalty Act of 1996, remain five years, OFAC is extending the recordkeeping period to 10 years across all sanctions programs that it administers for the purposes of promoting consistency and efficiency, and to allow OFAC to assess the entirety of a subject person’s compliance program, as described in several of the general factors (e.g., General Factors E, F, and K) of OFAC’s Enforcement Guidelines (Appendix A to 31 CFR part 501), when considering the appropriate response to an apparent sanctions violation.

2. Purpose and Use of the Information Collected.

OFAC requires this information to monitor compliance with regulatory requirements, to support diplomatic negotiations concerning the targets of sanctions, to meet statutory reporting

² OFAC received three relevant comments, which requested further guidance and noted a potential conflict in the record-keeping requirements between U.S. and European anti-money laundering and counter-terrorism regulations. OFAC is taking the recent comments under consideration and will address in the future as appropriate.

requirements, and to support settlement negotiations addressing U.S. claims. The reports and information collections covered by this authority will be reviewed by the U.S. Department of the Treasury (Treasury) and may be used for compliance, civil penalty, and enforcement purposes by the agency. The information that is required to be retained under the recordkeeping provisions of the Regulations or certain other parts of 31 CFR chapter V may be requested by OFAC to verify that persons engaged in transactions in compliance with OFAC sanctions and to facilitate OFAC's ability to address potential violations of OFAC sanctions. The information is used primarily by Treasury and provided to other agencies under limited circumstances, such as when requested for pending litigation, investigative purposes, or foreign policy guidance. Additionally, the aggregated data collected is used to inform summary sanctions reports that are provided to Congress on a periodic basis.

Finally, OFAC uses the information in license application forms to evaluate and process, on a case-by-case basis, each license application to engage in an otherwise prohibited transaction or to release funds blocked pursuant to OFAC sanctions. Applicants' use of the forms enables OFAC to more efficiently identify the parties involved and, in the case of requests to release blocked funds, to match the applications against the blocking reports submitted by banks.

3. Consideration Given to Information Technology.

Information collected related to blocked, rejected, and certain authorized transactions is increasingly collected by automated, electronic, and/or computerized means. While OFAC had offered electronic reporting options for submission of blocking and reject reports for many years, OFAC issued ORS, which is a more robust electronic filing system, in early 2018. ORS incorporates user management, audit, and reporting features to improve the quality of report data, facilitates regulatory compliance, and enhances efficiencies for both filers and OFAC. ORS was developed through feedback from private sector users to help streamline reporting to OFAC and to reduce the burden for both the private sector and the U.S. government. ORS reduces the time it takes for many submitters to provide the required information to OFAC, and the system provides submitters with a confirmation that the report has been received and accepted by OFAC.

OFAC began requiring electronic reporting via ORS for initial reports of blocked property, ARBPs, and rejected transaction reports submitted pursuant to §§ 501.603 and 501.604 when the May 2024 Interim Final Rule went into effect on August 8, 2024. OFAC expects the use of electronic reporting via ORS to produce a small reduction in the overall burden of reporting for respondents over time, even though the mandate for electronic reporting via ORS may impose some initial costs for a few businesses that do not already file reports electronically. OFAC is taking into account this initial increase in burden in its calculation of the time and cost burden estimates for this rule. However, OFAC estimates that, as of spring 2023, less than 1% (estimated 0.03%) of reports were submitted to OFAC using non-electronic methods, while approximately 96% of reports were submitted electronically via ORS, and approximately 3% of reports were submitted electronically to OFAC via email. OFAC is taking into account a potential small initial increase in burden and cost for an extremely small number of respondents (estimated 0.03%) who would need to transition from filing paper reports via mail to the new ORS electronic system. Overall, OFAC estimates that there should be a minimal burden in mandating electronic submission via ORS because almost all filers currently send reports to OFAC electronically in some way, and the majority of those filers already send reports to OFAC via ORS. Given the mandate for electronic reporting via ORS for initial reports of blocked

property, ARBPs, and rejected transaction reports as well as to reduce duplicate reporting, OFAC is removing the following three PDF formats from its website since the information is already collected via ORS electronically: TD F-90.02, Report on Blocked Property-Financial; TDF 93.08, Report on Blocked Property Tangible/Real/Other Non-Financial Property; and TDF 93.07, Report on Rejected Transaction.

In addition, specific license applications, including applications to release blocked funds, may be submitted via OFAC's electronic licensing portal here: <https://ofac.treasury.gov/ofac-license-application-page>. Other reports covered by this filing are likely to be submitted to OFAC via email or other automated, electronic, or computerized means, such as by email to OFACReport@treasury.gov. In certain limited cases, OFAC may grant exceptions to electronic submissions and accept a hard copy by mail. With respect to the information collections related to recordkeeping requirements covered by this filing, the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology is not applicable because persons will determine themselves how to gather and retain those records.

4. Duplication of Information.

Generally, the information that OFAC requires pertains to individual property and transactions and is not available to OFAC other than through a specific report. Each individual report of information provided is of a limited nature, separate, and unique. There is generally no duplication of records. Each item is based upon a new occurrence pertaining to a designated or otherwise blocked person or activities or transactions that are otherwise prohibited or that are authorized by a specific or general license. To the extent persons have actual knowledge that a report has been filed with respect to a transaction pursuant to § 501.603, they are excused from filing a duplicate report with respect to the same transaction. The new REPO for Ukrainians Act reporting requirement also provides that duplicative reporting of Russian sovereign assets is not required if such assets have already been reported as blocked or immobilized property. In addition, with respect to specific license applications, use of the license application form makes any duplication of filings (*i.e.*, an applicant applying twice) immediately apparent, by facilitating an easy side-by-side comparison of the multiple applications.

All U.S. persons (and persons subject to U.S. jurisdiction in the case of the Cuban Assets Control Regulations, 31 CFR part 515) are required to make individual reports on property that they have blocked, property that they have unblocked or transferred (with certain exceptions), or transactions they have rejected within 10 days from the blocking, unblocking/transfer, or rejection and are also required to report on an annual basis all blocked property under their possession or control. The ARBP is not a duplicate of the information previously reported, even though it does have some overlap with information previously reported through blocking reports and the new reports of unblocked or transferred blocked property. However, because various authorized or otherwise legal transactions can occur throughout the year affecting the amount of particular blocked assets that are not reported to OFAC, such as generally authorized debits for administrative fees or generally authorized crediting of interest earned, it is only through the annual reporting requirement that OFAC can be apprised of the complete, accurate status of all blocked property. Current information is required for the purpose of Treasury's congressionally mandated reports, including the annual report on terrorist assets as well as for U.S. national security and foreign policy purposes concerning negotiations with impacted countries or targeted persons.

With respect to the certifications that are required to be collected from individuals for Cuba-related remittance services and travel or carrier services, this information is available only by obtaining a certification from each individual utilizing such services, and each individual certification is separate and unique.

5. Reducing the Burden on Small Entities.

The information collections under this OMB control number may affect a limited number of small businesses or other small entities that hold blocked property, reject transactions, or engage in transactions prohibited, unless otherwise authorized, by the individual parts in 31 CFR chapter V. With regard to blocked property or rejected transactions, OFAC has published guidance on its website to help smaller entities with more constrained compliance resources to understand their obligations to block and reject certain transactions and to report these transactions to OFAC. In addition, OFAC has provided detailed forms and guidance on its website to assist persons with submitting reports. Finally, since mandating the use of ORS for these filings, OFAC has also provided avenues through which individual requestors may seek an exception from mandatory electronic filing.

In the licensing area in particular, OFAC maintains an electronic Licensing Portal on its website to receive license applications and requests to release blocked property and process licensing files more efficiently. The licensing application procedures are straightforward, and the average time required to complete a license application cover sheet is fifteen minutes. The recordkeeping requirement imposed by § 501.601 is minimal, because the records required to be maintained are likely already maintained under standard business practices. All applicants who are requesting authorization to engage in an otherwise prohibited transaction or whose funds have been blocked pursuant to OFAC sanctions — be they individuals, small businesses, or major corporations — must apply to OFAC in order for OFAC to consider issuing a license. Individuals and small businesses, which may be less familiar with OFAC procedures, benefit from the relevant form on the Licensing Portal as it states in a simple, clear format the information that OFAC needs to consider an application.

In addition, the September 2024 amendment (“Reporting, Procedures and Penalties”, 89 FR 74832, September 13, 2024) to § 501.601, paragraph IV.B of Appendix A to part 501, and 31 CFR § 515.572 extending, effective March 12, 2025, the recordkeeping period from five to 10 years could impose a temporary incremental burden on recordkeepers while they update their recordkeeping practices and adjust storage requirements to maintain records for a longer period of time. With respect to the information collections for Cuba-related traveler and remitter certifications, there is no estimated burden on small business or other small entities because the certifications are collected from individuals. The storage of the required certifications showing compliance with the relevant provisions of the Regulations will affect small businesses or other small entities that provide authorized remittance- or travel-related services, but this requirement is not assessed to be onerous.

6. Consequences of Not Conducting Collection.

The information collected is used primarily by OFAC for licensing, compliance, civil penalty, and enforcement purposes. This information is used to authorize transactions consistent with policy, and to prevent the unauthorized transfer through U.S. persons of property in support

of targeted governments and persons. In addition, certain reporting requirements, such as the recent reporting requirement under the REPO for Ukrainians Act, are required by statute. Without the use of standardized forms for license applications, many license applications would be submitted in an incomplete or haphazard fashion, making evaluation of such applications more difficult and time-consuming, which would delay transmitting responses to the applicants. Without these collections of information, certain sanctions-related statutes and Presidential Executive orders, including provisions for authorizing certain otherwise prohibited transactions, cannot be fully implemented and enforced.

Generally, the information could not be collected less frequently. For example, the need for information required to file a blocked property report arises only at the time the filer comes into the possession or control of such property. Persons availing themselves of certain general licenses may be required to file reports and statements in accordance with the instructions specified in those licenses. With regard to initial and annual reports of blocked property, reports of unblocked or transferred blocked property, reports of rejected transactions, and reports on Russian sovereign assets, if the information were not collected or were collected less frequently, OFAC would have more limited means of tracking the compliance of U.S. persons with U.S. economic sanctions or the amounts of property currently blocked, some of which is required for OFAC to report to Congress each year.

7. Special Circumstances.

- *Requiring respondents to report information to the bureau more often than quarterly;*

Respondents are required to submit initial reports of blocked property, reports of unblocked or transferred blocked property, reports of rejected transactions, and reports of Russian sovereign assets, on a transaction-by-transaction basis, annual reports of blocked property on an annual basis, and reports of certain activities authorized by general or specific license as specified in the relevant license. In addition, U.S. financial institutions are required to submit a report to OFAC within 30 days of the closure of each correspondent account or payable-through account maintained for a foreign financial institution that has been sanctioned pursuant to the HFSR or IFSR and named on the CAPTA List maintained on OFAC's website (www.treasury.gov/ofac). Prompt reporting of individual blockings, unblockings or transfers, rejected transactions, and account closures and certain other authorized activities is necessary for OFAC to maintain effective compliance and enforcement.

- *Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*

OFAC requires that reports of blocked property, reports of unblocked or transferred blocked property, reports of rejected transactions, and reports of Russian sovereign assets be submitted within 10 days of the blocking, unblocking or transfer, rejection, or detection of such assets, unless otherwise directed by OFAC. Some other reports are also required to be submitted in fewer than 30 days, such as reports that are immediately due when a litigation hearing is scheduled or within 30 or fewer days after the completion of an authorized transaction under a general license or such license. A 30-day requirement would be insufficient for the foreign policy purposes underlying the economic sanctions and, in certain cases such as the reporting requirement in the REPO for Ukrainians Act,

would be inconsistent with statutes. In addition, because OFAC frequently receives requests to unblock property shortly after it has been blocked, it is essential for the blockings to be reported to OFAC as soon as possible. OFAC requests for information in the enforcement context may require a response in less than 30 days when the information requested is needed immediately for OFAC to adequately enforce U.S. economic sanctions.

- *Requiring respondents to submit more than an original and two copies of any document;*

No such requirement exists.

- *Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*

In April 2024, the statute of limitations for violations of certain OFAC sanctions prohibitions was extended from five to 10 years by the 21st Century Peace through Strength Act, Pub. L. No. 118-50, div. D. Accordingly, in the September 2024 Rule, OFAC amended 31 CFR § 501.601, paragraph IV.B of Appendix A to part 501, and 31 CFR § 515.572 to extend the recordkeeping period to 10 years, beginning on March 12, 2025.

- *In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*

The information collections are not part of a statistical survey.

- *Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*

Not applicable.

- *That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use;*

OFAC will ensure that the information collected will only be released in accordance with the criteria for disclosure set forth in the Privacy Act of 1974 (Privacy Act, 5 U.S.C. 552a), the Freedom of Information Act (FOIA, 5 U.S.C. 552), and, as applicable, the Trade Secrets Act (18 U.S.C. 1905). Provisions guiding OFAC's disclosure of information can be found at 31 CFR Part 1. Information about OFAC's privacy practices has been issued under Treasury Departmental Offices Privacy Act System of Records Notice Treasury/DO .120 – Records Related to Office of Foreign Assets Control Economic Sanctions (81 FR 78298).

- *Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

OFAC will ensure that this information will only be released in accordance with the criteria for disclosure set forth in the Privacy Act, FOIA, and, as applicable, the Trade Secrets Act. Provisions guiding OFAC's disclosure of information can be found at 31 CFR Part 1. Information about OFAC's privacy practices has been issued under Treasury Departmental Offices Privacy Act System of Records Notice Treasury/DO .120 – Records Related to Office of Foreign Assets Control Economic Sanctions (81 FR 78298).

8. Consultations with Persons Outside the Agency.

On September 12, 2024, OFAC published a Notice in the Federal Register soliciting comments within 60 days concerning the information collection covered by this authority (89 FR 74375). OFAC did not receive any public comments in relation to the Notice. OFAC received and reviewed comments on the May 2024 Interim Final Rule, which amended the Regulations to adjust and clarify certain reporting requirements. Addressing public comments received for the May 2024 Interim Final Rule, OFAC issued a final rule (89 FR 81358) on October 8, 2024 amending the Regulations to add three exceptions to the reporting requirement for any blocked property that is unblocked or transferred pursuant to § 501.603.

In addition, OFAC has substantial regular contact with various individuals and entities seeking to comply with OFAC's regulations. Through these contacts, OFAC develops an appreciation of the impact of the information collections necessitated by economic sanctions. OFAC maintains strong relationships with the private sector and has daily engagement with numerous entities seeking to comply with OFAC's sanctions across all sectors, as well as individuals. OFAC maintains an online platform to receive and answer questions from the private sector regarding the application of OFAC's economic sanctions and engages in substantial outreach at events held throughout the country and around the globe regarding OFAC's sanctions. Many decades of such daily contacts have streamlined procedures and assisted OFAC in obtaining a detailed understanding of the burdens its collections and procedures impose on persons seeking to comply with OFAC requirements.

9. Payment or Gift.

No payment or gift will be provided to respondents.

10. Confidentiality.

OFAC will ensure that the required information submitted in response to these collections will only be released in accordance with the criteria for disclosure set forth in the Privacy Act, FOIA, and, as applicable, the Trade Secrets Act. Provisions guiding OFAC's disclosure of information can be found at 31 CFR Part 1. Information about OFAC's privacy practices has been issued under Treasury Departmental Offices Privacy Act System of Records Notice Treasury/DO .120 – Records Related to Office of Foreign Assets Control Economic Sanctions (81 FR 78298).

11. Questions of a Sensitive Nature.

The collection makes no request for sensitive information of this type. In addition, a privacy impact assessment has been conducted for information collected under this request and a

Privacy Act System of Records notice has been issued for this collection, under Treasury/DO .120 – Records Related to Office of Foreign Assets Control Economic Sanctions (81 FR 78298).

12. Burden of Information Collection.

- A. *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form.*

Summary

The likely respondents and recordkeepers affected by the information collections covered by this authority are financial institutions, business organizations, nonprofit organizations, individuals, and legal representatives. OFAC's current assessment of burden, as described below, takes into account the number and type of reports received by OFAC over a recent 12-month period as well as OFAC's estimate of reporting trends over the next three years.

The estimated total annual reporting burden associated with the information collections covered by this authority is approximately 86,223 hours. The estimated annual frequency of responses is between 1 and 17,800, varying greatly by entity depending on the size, nature, and scope of business activities of each respondent, with the majority of filers providing a small number of responses and a small number of filers submitting a higher number of responses. The estimated total number of responses per year is approximately 2,502,086 responses. OFAC estimates that the average time for reports associated with forms ranges from 15 minutes to two hours and for reports associated with general licenses and other reports not associated with forms ranges from one minute to five hours, as noted below in the more detailed background section. Since OFAC's last renewal request for this authority, in response to unpredictable foreign policy developments and considerations, and given the ongoing conflict in Ukraine, OFAC has added several new prohibitions, as well as several thousand new designations, particularly those related to Russia and Ukraine, and received a corresponding increase in related reports. In addition, a May 2024 amendment to the Cuban Assets Control Regulations in 31 CFR § 515.584(d) reinstated an authorization for "U-turn" transactions to support independent private sector entrepreneurs in Cuba, by facilitating remittances and payments for authorized transactions in the Cuban private sector, which is expected to lead to an increase in remittances to Cuba over the coming three years. OFAC's estimate for the number of unique reporting respondents in a one-year period is approximately 10,900.

The burden of the recordkeeping requirement imposed by the Regulations and other parts of 31 CFR chapter V is minimal because the records required to be maintained are likely maintained under standard business practice. The recent increase in the recordkeeping period to 10 years from five years could impose a temporary incremental burden on recordkeepers while they update their recordkeeping practices and adjust storage requirements to maintain records for a longer period of time. In particular, the burden of the recordkeeping requirement imposed pursuant to 31 CFR § 515.572 with respect to Cuba-related travel and remittances is assessed to be negligible as the certification that is collected and stored for each relevant transaction may be in any form (as determined by the authorized remittances or travel services providers).

CATEGORY	RESPONSES	ESTIMATED TIME (hours)
Reports associated with forms	135,982	45,965
Reports and other information collections not associated with forms	2,366,104	40,258
OVERALL TOTALS	2,502,086	86,223

More detailed background

OFAC has included below a more granular breakdown of the various types of reports and other information collections covered by this authority, as well as an estimated number of annual responses, the estimated time per report or information collection, and an estimated total annual burden for each report or information collection.

Reports and other information collections associated with mandatory or voluntary forms

REPORT OR INFORMATION COLLECTION	ASSOCIATED FORM NUMBER	ESTIMATED NUMBER OF ANNUAL RESPONSES	ESTIMATED TIME PER FORM (hours per form)	ESTIMATED TOTAL BURDEN (hours)
Annual Report of Blocked Property (ARBP)	TD-F 90-22.50	730	2.00	1,460
Report on Blocked Property – Financial (when provided as individual reports and not a bulk submission)	TD-F 93.02	20,393	0.50	10,197
Report on Blocked Property – Financial (when provided as part of a bulk submission) ³	TD-F 93.02	37,462	0.25	9,366
Report on Blocked Property – Tangible / Real / Other Non-Financial Property	TD-F 93.08	914	0.50	457
Report on Rejected Transaction (when provided as individual reports and not a bulk submission)	TD-F 93.07	11,186	0.50	5,593

³ OFAC received a number of bulk submissions of blocked property during the reporting period and estimates there will continue to be some of these types of submissions moving forward. Therefore, OFAC has added an additional line item to account for these bulk submissions. Usually, largely automated, bulk submissions take less time to process and submit (per blocked property) so there is a lower time and burden calculation for each one of these types of blocked property.

Report on Rejected Transaction (when provided as part of a bulk submission) ⁴	TD-F 93.07	48,942	0.25	12,236
REPO For Ukrainians Act Report Form	TD-F 93.09	300	0.50	150
TSRA License Application	TD-F 93.04	89	1.00	89
License Application Cover Sheet	TD-F 98-22.61	6,266	0.25	1,567
Applications for the Release of Blocked Funds	TD-F 90-22.54	9,700	0.50	4,850
TOTAL		135,982		45,965

Reports and other information collections not associated with forms

While the information collections under this authority occur largely under required and voluntary forms, some reports and information collections under this authority are not associated with forms. These reports may be broken down into four primary categories: basic reports and information collections not associated with forms, complex general license reports, reports of unblocked or transferred blocked property, and other reports and information collections, as discussed further below.

Please see the chart below for a breakdown of the estimated responses and hour burdens.

REPORT OR INFORMATION COLLECTION	ESTIMATED NUMBER OF ANNUAL RESPONSES	ESTIMATED TIME (hours per submission)	ESTIMATED TOTAL BURDEN (hours)
Basic reports or information collections not associated with forms	382	1.0	382
Complex general license reports	20	5.0	100
Reports of unblocked or transferred blocked property	700	0.5	350
Other reports	2	0.5	1

⁴ OFAC received a number of bulk submissions of rejected transactions during the reporting period and estimates there will continue to be some of these types of submissions moving forward. Therefore, OFAC has added an additional line item to account for these bulk submissions. Usually, largely automated, bulk submissions take less time to process and submit (per rejected transaction) so there is a lower time and burden calculation for each one of these types of rejected transactions.

Certifications associated with Cuba remittances	1,800,000	0.01667 (1 minute)	30,006
Certifications associated with Cuba travel	565,000	0.01667 (1 minute)	9,419
TOTAL	2,366,104		40,258

- Basic reports and information collections not associated with forms: Persons availing themselves of certain general licenses may be required to file reports or statements or retain certain records in accordance with the instructions specified in those licenses. Most of these “basic reports or information collections not associated with forms” are required in connection with an authorized activity (such as reports regarding activity conducted under certain general licenses). These basic reports and information collections have minimal burden and may fluctuate given the dynamic nature of OFAC’s sanctions programs. Submissions of reports and maintenance of records are not required to be in any particular format. Most of these reports or information collections are required in connection with an authorized activity. Basic reports and information collections not associated with forms include approximately 219 routine general license reports (such as those in the Venezuela and Libya sanctions programs), which OFAC estimates takes one hour on average to complete; approximately 103 regulatory reports (such as mail and telecommunications-related transactions reporting under § 515.542 of the Cuban Assets Control Regulations, 31 CFR part 515, and reporting on litigation, arbitration, and dispute resolution proceedings under § 501.605); 7 reports required under OFAC Directives (such as from the amended Directive 4 reporting); and 34 other occasional basic compliance reports (such as the annual certification compliance commitment report as part of a settlement with OFAC).
- Complex general license reports: For certain more complex general license reports (such as in the Ukraine-/Russia-Related Sanctions programs), OFAC estimates that the completion of these reports takes five hours on average as these reports are narrative-based and often several pages long. The total number of such reports is approximately 20.
- Reports of unblocked or transferred blocked property: Such reports were previously only due when specifically required by OFAC, such as when made a condition of a general or specific license; however, the May 2024 Interim Final Rule requires reports any time blocked property is unblocked or transferred, with limited exceptions. The number of such reports annually was approximately 74, however, OFAC anticipates there will likely be a significant increase of 900% in the future (or approximately 700 reports) due to the broader scope in the regulatory amendments.
- Other reports: OFAC’s regulations require several other miscellaneous types of reports that may be required to be submitted at various times in connection with other actions taken pursuant to the regulations (including, for example, reports on operating accounts of the government of Cuba missions in the United States; reports on the effect of transfers violating the provision; reports on Foreign Terrorist Organizations; reports on investment and reinvestment of certain funds; and reports on transactions related to closing a correspondent or payable-through account, including under the general licenses for closing correspondent or payable through accounts of sanctioned foreign financial institutions in § 561.504 of the Iranian Financial Sanctions Regulations and § 566.504 of the Hezbollah Financial Sanctions Regulations). In the past reporting period, OFAC has not received any reports submitted

from these reporting requirements and therefore estimates the burden with respect to these reports to be minimal.

- Certifications associated with Cuba-related remittances: OFAC requires that banking institutions providing remittance forwarding services authorized pursuant to § 515.572(a)(3) retain a certification from each customer indicating the section of the Cuban Assets Control Regulations that authorizes the person to send remittance to Cuba. In addition, banking institutions providing remittance forwarding services must maintain on file the names and addresses of individual remitters, the number and amount of each remittance, and the name and address of each recipient, as applicable. These records must be furnished to OFAC on demand, and, beginning on March 12, 2025, must be retained for 10 years.
- Certifications associated with Cuba-related travel: OFAC also requires that persons subject to U.S. jurisdiction providing services authorized pursuant to 31 CFR § 515.572(a)(1) or (2) obtain and retain a certification from each customer indicating the section of 31 CFR part 515 that authorizes the person to travel to Cuba. The names and addresses of individual travelers must be retained on file with all other information required by 31 CFR § 501.601. These records must be furnished to OFAC on demand, and, beginning on March 12, 2025, must be retained for 10 years.

B. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

OFAC's methodology for calculating the annualized cost burden uses one of two wage rates published by the Bureau of Labor and Statistics: either \$18.17/hour, which, as of May 2023, is the median wage for Data Entry Keyers, or \$36.38/hour, which, as of May 2023, is the median wage for Compliance Officers. The wage used for calculating the cost burden varies depending on the type and complexity of the report, as noted in the chart below. OFAC estimates the total cost to be approximately \$1,785,157.

REPORT OR INFORMATION COLLECTION	ASSOCIATED FORM NUMBER	ESTIMATED TIME (hours)	WAGE RATE (dollars/hour)	ESTIMATED COST
ARBP	TD-F 90-22.50	1,460	\$36.38	\$53,115
Report on Blocked Property – Financial (individual reports)	TD-F 93.02	10,197	\$18.17	\$185,279
Report on Blocked Property – Financial (bulk submission)	TD-F 93.02	9,366	\$18.17	\$170,180
Report on Blocked Property – Tangible / Real / Other Non-Financial Property	TD-F 93.08	457	\$18.17	\$8,304

Report on Rejected Transaction (individual reports)	TD-F 93.07	5,593	\$18.17	\$101,625
Report on Rejected Transaction (bulk submissions)	TD-F 93.07	12,236	\$18.17	\$222,328
REPO For Ukrainians Act Report Form	TD-F 93.09	150	\$36.38	\$101,625
TSRA License Application	TD-F 93.04	89	\$36.38	\$3,238
License Application Cover Sheet	TD-F 98-22.61	1,567	\$36.38	\$57,007
Applications for the Release of Blocked Funds	TD-F 90-22.54	4,850	\$36.38	\$176,443
Basic reports and information collections not associated with forms	N/A	382	\$18.17	\$6,941
Complex general license reports	N/A	100	\$36.38	\$3,638
Reports on unblocking or transferred property	N/A	350	\$36.38	\$12,733
Other reports	N/A	1	\$36.38	\$36
Certifications associated with Cuba remittances and travel	N/A	30,006	\$18.17	\$545,209
Certifications associated with Cuba travel	N/A	9,419	\$18.17	\$171,143
TOTAL		86,223		\$1,818,881

13. Annual Cost to Respondents.

For some entities, there may be capital, operating, and maintenance costs associated with products, such as interdiction software, used to maintain compliance with U.S. sanctions laws

and other laws. Nevertheless, any capital or operating costs associated with the actual collection of information or recordkeeping requirements under this collection authority are assumed to be minimal, as such products are not required for compliance with OFAC's information collection or recordkeeping requirements. While these products may have some incidental benefits in aiding in the submission of required reports under this authority, OFAC assesses that the products are designed and used more broadly for compliance with numerous regulatory regimes, including laws and regulations relating to anti-money laundering, countering the financing of terrorism, and export and import controls, as well as the laws and regulations OFAC administers, and also for the identification of other business risks. OFAC assesses that the products are not specifically for complying with information collection or recordkeeping requirements administered by OFAC, and no such software or technology is required when submitting these required reports to OFAC. In addition, while a minority of those that are subject to OFAC's jurisdiction utilize these products for broad compliance purposes (typically the largest and most sophisticated companies), most persons subject to OFAC's jurisdiction do not utilize any such products. Overall, in light of the above factors, OFAC assesses that any capital, operating, or maintenance costs exclusively associated with the reporting and recordkeeping requirements under this authority are negligible. However, given mandatory ORS filing beginning in August 2024, there could be up-front cost for a very small number of filers that are not yet set up to submit reports using ORS. Nevertheless, OFAC expects that only a few filers will be impacted because the vast majority of OFAC reports (96%) are already submitted electronically through ORS.

14. Cost to the Federal Government.

The total estimated annual cost to the U.S. government attributable to this information collection is \$4,440,209.

With respect to license applications, the estimated cost to the U.S. government of this collection of information is based on the average amount of time for both an OFAC licensing officer and a supervisor to review and respond to each application. The average cost for a licensing officer in Washington, D.C. would be at the General Schedule (GS)-13 step 1 (\$56.52/hr.) plus 60% U.S. government benefits for a total cost of \$90.43/hr. The average cost for a supervisor in Washington, D.C. would be at the GS-15 step 1 (\$78.56/hr.) plus 60% benefits for a total cost of \$125.70/hr. The time of review for an application can vary widely depending on the applicant and the context, varying from 15 minutes to 4 hours; but the average time of review is approximately 90 minutes for a licensing officer (\$135.65) and then 30 minutes for a supervisor (\$62.85), for a total estimated cost of \$198.50 per application, and, assuming 16,000 applications per year, a total estimated annual cost of \$3,175,936.

With respect to reports of blocked property, unblocked or transferred property, rejected transactions, and the other information collections described in this filing, the estimated annual cost to the U.S. government of this information collection is based on the salary and benefit costs for seven full time employees across OFAC's divisions at varying levels of seniority (ranging from GS-9 to GS-15 with additional Washington, D.C. locality pay included) who accept and process the required information received pursuant to this collection. Specifically, OFAC added the salaries and benefits of two GS-9 step 2 employees (\$226,192), one GS-11 step 1 employee (\$132,422), one GS-12 step 1 employee (\$158,720), one GS-14 step 1 employee (\$223,032), and one GS-15 step 4 employee (\$288,574) for a total estimated annual cost of \$1,028,941.

With respect to the certifications relating to Cuba remittances and travel, the estimated annual cost to the U.S. government of this information collection is based on the average amount of time spent by an OFAC employee to conduct a review of the records, as well as time spent by a supervisor to discuss findings. An OFAC officer in Washington, D.C. at the GS-13 step 1 level, plus benefits, would be a total cost of \$90.43/hr. The average cost for a supervisor in Washington, D.C. at the GS-15 step 1 level, plus benefits, would be a total cost of \$125.70/hr. The average time of review is approximately four weeks per year (160 hours) for an officer (\$14,469) and two days per year for a supervisor (\$2,011), for a total estimated annual cost of \$16,480.

With respect to the reports required by 31 CFR §§ 561.504 and 566.504, because OFAC has not received any such reports in the past three years, the estimated cost to the U.S. government of this information collection is estimated to be \$0.

15. Reason for Change.

OFAC is seeking OMB renewal authorization for all the collections of information and recordkeeping requirements associated with the Regulations and certain other parts of 31 CFR chapter V as described herein.

The estimated responses cited in Item A.12 represent a significant increase from the 137,084 responses in the previously emergency approval request for this authority (see reference tables below). First, OFAC is consolidating several information collection requests into this submission, which accounts for a significant portion of the increase in number of responses. In particular, the new estimate of 1,800,000 responses for certifications required in relation to Cuba remittance services (1505-0167), 565,000 responses for certifications required in relation to Cuba travel services (1505-0168), and two responses for reports associated with closing correspondent accounts (1505-0243 and 1505-0255), which were previously included in separate information collection requests. The increase in responses will be effectively offset when the OMB Control Numbers for the historical ICRs described in Item A.1 are discontinued.

The consolidation of collection 1505-0170, Application for the Release of Blocked Funds (TD-F 90-22.54), did not result in an increase in number of responses because the estimated number of responses, 9,700, was previously included in the estimated responses for the number of Licensing Cover Sheets (TD-F- 90-22.61) in the emergency approval request for this authority. However, because the estimated burden for an Application for the Release of Blocked Funds is higher than the estimated burden for a Licensing Cover Sheet, the changes in burden and estimated cost are included in the table below. The burden of the recordkeeping requirements imposed pursuant to 31 CFR § 515.572 with respect to Cuba-related travel and remittances is assessed to be negligible (one minute or less) as the certification that is collected and stored for each relevant transaction may be in any form (as determined by the authorized remittances or travel services providers).

Finally, the consolidation of collections resulted in some increased cost to the private sector for the additional responses, as described above. In addition, the prior emergency approval request used outdated BLS wage data. Adjustments for use of the increased wage data from May 2023 is also reflected in the adjusted agency estimates in the table below.

Numerous factors are relevant with respect to calculating the estimated burden associated with the information collection and recordkeeping requirements associated with this collection. Of necessity, OFAC utilizes historical burden data in forecasting future burden hours. In future years, OFAC expects that new sanctions programs may be created, or additional prohibitions imposed under existing programs, and other programs or prohibitions may be terminated, which may slightly increase or decrease the burden associated with this collection authority. The creation of new programs or prohibitions, or the elimination of programs or prohibitions, are difficult to estimate as these changes are often responding to specific and unforeseeable foreign policy developments and considerations. However, these changes may have an impact on the time and cost estimates under this collection authority.

At the same time, OFAC has been working to streamline the reporting process, and to update its technologies to assist submitters in the reporting process with a view toward reduction of the overall burden on submitters of required reports. For example, the ORS electronic reporting system, which was recently mandated for certain reports, continues to reduce the burden of submitting certain required reports for many submitters, including many large, higher-volume filers. OFAC expects this small burden reduction trend to continue as more submitters utilize ORS and reporting of additional forms and information becomes available via ORS in the future.

In addition, OFAC continues to finetune its methodology for calculating burden in an effort to be more precise and accurate in its burden estimates and calculations.

This rule-related information collection submission is being made for consolidation and renewal purposes.

	PREVIOUS EMERGENCY APPROVAL REQUEST	CHANGE DUE TO CONSOLIDATION OF EXISTING ICRs	CHANGE DUE TO ADJUSTMENT IN AGENCY ESTIMATE	REQUESTED
Annual Number of Responses	137,084	+2,365,002	0	2,502,086
Annual Time Burden (Hr)	44,370	+44,276	-2,423	86,223
Annualized Cost to Respondents (\$)	\$876,935	\$892,831	\$49,079	\$1,818,845

16. Tabulation of Results, Schedule, Analysis Plans.

Results will not be published.

17. Display of OMB Expiration Date.

Treasury is not requesting a waiver of the requirement to display the expiration date for this OMB Control Number.

18. Exceptions to Certification for Paperwork Reduction Act Submission.

There are no exceptions to the certification statement.