

Background

On May 10, 2024, OFAC issued GL 8N to authorize certain transactions otherwise prohibited by the Venezuela Sanctions Regulations (VSR), 31 CFR part 591. GL 8N was made available on OFAC's website (<https://ofac.treasury.gov/>) when it was issued. GL 8N supersedes GL 8M, which was issued on November 16, 2023. GL 8N has an expiration date of November 15, 2024. The text of this GL is provided below.

OFFICE OF FOREIGN ASSETS CONTROL

Venezuela Sanctions Regulations

31 CFR Part 591

GENERAL LICENSE NO. 8N

Authorizing Transactions Involving Petróleos de Venezuela, S.A. (PdVSA) Necessary for the Limited Maintenance of Essential Operations in Venezuela or the Wind Down of Operations in Venezuela for Certain Entities

(a) Except as provided in paragraphs (c) and (d) of this general license, all transactions and activities prohibited by Executive Order (E.O.) 13850 of November 1, 2018, as amended by E.O. 13857 of January 25, 2019, or E.O. 13884 of August 5, 2019, each as incorporated into the Venezuela Sanctions Regulations, 31 CFR part 591 (the VSR), that are ordinarily incident and necessary to the limited maintenance of essential operations, contracts, or other agreements, that: (i) are for safety or the preservation of assets in Venezuela; (ii) involve PdVSA or any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest; and (iii) were in effect prior to July 26, 2019, are authorized through 12:01 a.m. eastern standard time, November 15, 2024, for the following entities and their subsidiaries (collectively, the "Covered Entities"):

- Halliburton
- Schlumberger Limited
- Baker Hughes Holdings LLC
- Weatherford International, Public Limited Company

Note to paragraph (a). Transactions and activities necessary for safety or the preservation of assets in Venezuela that are authorized by paragraph (a) of this general license include: transactions and activities necessary to ensure the safety of personnel, or the integrity of operations and assets in Venezuela; participation in shareholder and board of directors meetings; making payments on third-party invoices for transactions and activities authorized by paragraph (a) of this general license, or incurred prior to April 21, 2020, provided such activity was authorized at the time it

occurred; payment of local taxes and purchase of utility services in Venezuela; and payment of salaries for employees and contractors in Venezuela.

(b) Except as provided in paragraph (d) of this general license, all transactions and activities prohibited by E.O. 13850, as amended, or E.O. 13884, each as incorporated into the VSR, that are ordinarily incident and necessary to the wind down of operations, contracts, or other agreements in Venezuela involving PdVSA or any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest, and that were in effect prior to July 26, 2019, are authorized through 12:01 a.m. eastern standard time, November 15, 2024, for the Covered Entities.

(c) Paragraph (a) of this general license does not authorize:

- (1) The drilling, lifting, or processing of, purchase or sale of, or transport or shipping of any Venezuelan-origin petroleum or petroleum products;
- (2) The provision or receipt of insurance or reinsurance with respect to the transactions and activities described in paragraph (c)(1) of this general license;
- (3) The design, construction, installation, repair, or improvement of any wells or other facilities or infrastructure in Venezuela or the purchasing or provision of any goods or services, except as required for safety;
- (4) Contracting for additional personnel or services, except as required for safety; or
- (5) The payment of any dividend, including in kind, to PdVSA, or any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest.

(d) This general license does not authorize:

- (1) Any transactions or dealings related to the exportation or reexportation of diluents, directly or indirectly, to Venezuela;
- (2) Any loans to, accrual of additional debt by, or subsidization of PdVSA, or any entity in which PdVSA owns, directly or indirectly, a 50 percent or greater interest, including in kind, prohibited by E.O. 13808 of August 24, 2017, as amended by E.O. 13857, and incorporated into the VSR; or
- (3) Any transactions or activities otherwise prohibited by the VSR, or any other part of 31 CFR chapter V, or any transactions or activities with any blocked person other than the blocked persons identified in paragraphs (a) and (b) of this general license.

(e) Effective May 10, 2024, General License No. 8N, dated November 16, 2023, is replaced and superseded in its entirety by this General License No. 8N.

Lisa M. Palluconi,
Deputy Director, Office of Foreign Assets Control.

Dated: May 10, 2024.

Bradley T. Smith,

Director, Office of Foreign Assets Control.

[FR Doc. 2024–11846 Filed 5–29–24; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1236

[FDMS No. NARA–24–0012; NARA–2024–037]

RIN 3095–AC18

Federal Records Management: Digitizing Temporary Records

AGENCY: National Archives and Records Administration (NARA).

ACTION: Direct final rule.

SUMMARY: In June 2023, the National Archives and Records Administration (NARA) issued GRS Transmittal 34, which introduced GRS 4.5 Digitizing Records. NARA is updating the regulations to incorporate GRS 4.5 and ensure agencies use the proper authorization for disposing of temporary records that have been digitized. We added guidance directing agencies to manage temporary digital records according to the requirements. We also clarified language regarding when agencies may dispose of the scheduled source records. Additionally, we are harmonizing language in existing regulations with the new amendments.

DATES: This rule is effective August 28, 2024 without further action, unless adverse comment is received by July 1, 2024. If adverse comment is received, NARA will publish a timely withdrawal of the rule in the **Federal Register**.

ADDRESSES: You may submit comments on this rule, identified by RIN 3095–AC18, by any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.
- **Email:** Regulation_comments@nara.gov. Include RIN 3095–AC18 in the subject line of the message.
- **Mail (for paper, disk, or CD-ROM submissions):** Send comments to Regulation Comments Desk (External Policy Program, Strategy & Performance Division (MP)); Suite 4100; National Archives and Records Administration; 8601 Adelphi Road; College Park, MD 20740–6001.
- **Hand delivery or courier:** Deliver comments to the front desk at 8601

Adelphi Road, College Park, MD, addressed to: Regulations Comments Desk, External Policy Program; Suite 4100.

FOR FURTHER INFORMATION CONTACT: Edward Germino, Strategy and Performance Division, by email at regulation_comments@nara.gov, or by telephone at 301-837-3758. Contact rmstandards@nara.gov with any questions on records management standards and policy.

SUPPLEMENTARY INFORMATION:

Background

In June 2023, the National Archives and Records Administration (NARA) released GRS Transmittal 34, which introduced a new schedule called GRS 4.5 Digitizing Records to specifically address the handling of digitized source records. Previously, these records were covered under GRS 5.2 Transitory and Intermediary Records. With this update, we have revised 36 CFR 1236.36 to provide agencies with the proper authority for managing digitized temporary records. We also clarified language in § 1236.36 regarding when agencies may dispose of the scheduled source records.

In subpart D, we previously used the term “original source records.” However, we removed the word “original” because the source records may or may not be the original versions. We are also making this change in the heading for § 1236.36. The term “source records” refers to the records that underwent digitization and validation as part of a digitization project.

Finally, we have added guidance to § 1236.30 directing agencies to manage temporary digital records according to the requirements in 36 CFR part 1236 subparts A, B, and C.

Regulatory Analysis

Executive Order 12866, Regulatory Planning and Review, and Executive Order 13563, Improving Regulation and Regulation Review

The Office of Management and Budget (OMB) has reviewed this rulemaking and determined it is not “significant” under section 3(f) of Executive Order 12866. It is not significant because it applies only to Federal agencies, updates the regulations due to a statutory requirement, the new requirements are being added to clarify ones that agencies have already been required to follow, and is not establishing a new program. The requirements are necessary to comply with statute and to ensure agencies are appropriately preserving records.

Regulatory Flexibility Act (5 U.S.C. 601, et seq.)

This review requires an agency to prepare an initial regulatory flexibility analysis and publish it when the agency publishes the proposed rule. This requirement does not apply if the agency certifies that the rulemaking will not, if promulgated, have a significant economic impact on a substantial number of small entities (5 U.S.C. 603). We certify, after review and analysis, that this rulemaking will not have a significant adverse economic impact on small entities.

Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.)

The Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, et seq.) requires that agencies consider the impact of paperwork and other information collection burdens imposed on the public and, under the provisions of PRA section 3507(d), obtain approval from OMB for each collection of information we conduct, sponsor, or require through regulations. This rulemaking does not impose additional information collection requirements on the public that are subject to the Paperwork Reduction Act.

Executive Order 13132, Federalism

Executive Order 13132 requires agencies to ensure State and local officials have the opportunity for meaningful and timely input when developing regulatory policies that may have a substantial, direct effect on the States, on the relationship between the Federal Government and the States, or on the distribution of power and responsibilities among the various levels of government. If the effects of the rule on State and local governments are sufficiently substantial, the agency must prepare a Federal assessment to assist senior policymakers. This rulemaking will not have any effects on State and local governments within the meaning of the E.O. Therefore, no federalism assessment is required.

Unfunded Mandates Reform Act (Sec. 202, Pub. L. 104-4; 2 U.S.C. 1532)

The Unfunded Mandates Reform Act requires that agencies determine whether any Federal mandate in the rulemaking may result in State, local, and Tribal governments, in the aggregate, or the private sector, expending \$100 million in any one year. NARA certifies that this rulemaking does not contain a Federal mandate that may result in such an expenditure.

List of Subjects in 36 CFR Part 1236

Archives and records, Digital records, Digitization, Records management.

For the reasons discussed in the preamble, NARA amends 36 CFR part 1236 as follows:

PART 1236—ELECTRONIC RECORDS MANAGEMENT

■ 1. The authority citation for part 1236 continues to read as follows:

Authority: 44 U.S.C. 2904, 3101, 3102, 3105, 3301, 3302, and 3312.

■ 2. Revise § 1236.30 to read as follows:

§ 1236.30 Requirements for digitizing temporary records.

(a) If an agency intends to digitally reproduce (digitize) temporary records in order to use the digitized records in place of the source records, the agency must:

- (1) Digitize the record to the standards in § 1236.32;
- (2) Validate the digitization according to § 1236.34; and
- (3) Manage the digital records according to the requirements in subparts A, B, and C of this part.

(b) When an agency disposes of source records, the agency must follow the requirements in § 1236.36.

■ 3. In § 1236.32, revise paragraphs (a), (b), and (c) to read as follows:

§ 1236.32 Digitization standards.

* * * * *

(a) Capture all information contained in the source records;

(b) Include all the pages or parts from the source records;

(c) Ensure the agency can use the digitized records for all the purposes the source records serve, including the ability to attest to transactions and activities;

* * * * *

■ 4. In § 1236.34, revise paragraphs (a) and (b) to read as follows:

§ 1236.34 Validating digitization.

(a) Agencies must validate that the digitized records are of suitable quality to replace source records.

(b) Agencies may establish their own validation process or use third-party processes to validate that the digitized records comply with § 1236.32. The process may be project-based or agency-wide policy.

* * * * *

■ 5. Revise § 1236.36 to read as follows:

§ 1236.36 Disposing of source records.

(a) When an agency disposes of source records, it must have an approved agency records schedule or identify an applicable General Records Schedule.

(b) When an agency has validated that the digitized versions meet the standards in § 1236.32, the agency may destroy the source records according to General Records Schedule (GRS) 4.5 Digitizing Records.

(c) Agencies must consider any existing legal restrictions, such as a litigation hold, before destroying the source records.

(d) Agencies must manage the digitized records in the same way it would have managed the source records. Agencies must retain the digitized records for the remaining portion of any retention period established by the applicable records schedule.

(e) Agencies do not need NARA approval to destroy scheduled temporary source records they have digitized according to this part.

Colleen J. Shogan,

Archivist of the United States.

[FR Doc. 2024–11910 Filed 5–29–24; 8:45 am]

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DEPARTMENT OF DEFENSE

Defense Acquisition Regulations System

48 CFR Parts 212, 215, 234, and 252

[Docket DARS–2023–0047]

RIN 0750–AL83

Defense Federal Acquisition Regulation Supplement: Data Requirements for Commercial Products for Major Weapon Systems (DFARS Case 2023–D010)

AGENCY: Defense Acquisition Regulations System, Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: DoD is issuing a final rule amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement a section of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 that clarifies the data to be provided for certain procurements related to major weapon systems.

DATES: Effective May 30, 2024.

FOR FURTHER INFORMATION CONTACT: Ms. Jeanette Snyder, telephone 703–508–7524.

SUPPLEMENTARY INFORMATION:

I. Background

DoD published a proposed rule in the **Federal Register** at 88 FR 88554 on December 22, 2023, to implement

section 803 of the James M. Inhofe National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2023 (Pub. L. 117–263). Section 803 modifies 10 U.S.C. 3455 to provide additional guidance regarding data requirements to support a determination of commerciality and price reasonableness for certain procurements associated with major weapon systems. Two respondents submitted public comments in response to the proposed rule.

II. Discussion and Analysis

DoD reviewed the public comments in the development of the final rule. A discussion of the comments and the changes made to the rule as a result of those comments is provided as follows:

A. Summary of Significant Changes From the Proposed Rule

There are no significant changes from the proposed rule.

B. Analysis of Public Comments

1. Negative Impacts of the Rule

Comment: One respondent indicated that the requirement to provide expanded data in support of commercial products added by section 803 presents a significant burden and risk to contractors. Many defense industrial base suppliers are commercial companies that also offer their products and services to DoD. For these suppliers, the statutory obligation to comply with the expanded data requirements will force commercial businesses to implement a compliance infrastructure to segregate and archive business data. The additional cost associated with this cannot be offset by raising product prices in a competitive commercial marketplace and is of no value to commercial buyers. As such, many of these suppliers may simply forgo the opportunity to enter into contracts with DoD. In addition, the requirements for disclosure increase the risk that highly sensitive commercial sales data will be disclosed to competitors, which creates a significant business risk for small and medium-sized suppliers.

Response: This rule implements the additional guidance provided in section 803 of the NDAA for FY 2023 regarding data requirements to support a determination of commerciality and a determination of price reasonableness for certain procurements associated with major weapon systems. For the commerciality determination, section 803, as implemented in this rule, allows contractors to, for example, identify the comparable commercial product it sells

or that is sold in the commercial market and provide the contracting officer a comparison between the physical characteristics and functionality of such a product and the subsystem, component, or spare part, if available. For the price reasonableness determination, section 803, as implemented in this rule, allows the offeror to provide or give the contracting officer access to a representative sample of prices paid for the same or similar commercial products under comparable terms and conditions and, if not feasible, to provide the prices paid for the same or similar commercial products sold under different terms and conditions. In addition, offerors may redact customer information, which alleviates any business risk. This information should be readily available to commercial companies via their sales records, so companies should not need to establish a compliance infrastructure to segregate and archive business data. Therefore, this rule does not impose additional administrative costs or recordkeeping burdens on commercial companies that would cause them to no longer be willing to do business with DoD.

Comment: One respondent indicated that the significant compliance burden and business risk levied by section 803 will give commercial companies a choice of: (1) establishing and maintaining separate production lines for commercial and defense products; or (2) exiting the defense industrial base. Isolating defense production from commercial production requires substantial upfront investment in facilities and workforce and drives significant inefficiency in production. Given recent instability in DoD's budget processes and timing, expanding capacity in this way may be unfeasible for many companies in today's defense industrial base. The cause and effect of the changes made by section 803 will likely not only result in protracted acquisition cycle times but also adversely affect the cost of products sold to DoD and industry's ability to deliver timely requirements in support of the warfighters. In addition, it is likely to increase sole-source suppliers and compound DoD's current challenges in accessing the most innovative technologies, products, and services, which is not in the interest of the taxpayer, the warfighter, or the industrial base.

Response: Section 803 of the NDAA for FY 2023 provides additional guidance regarding data requirements to support a determination of commerciality and a determination of price reasonableness for certain