

(b)(2)(i) through (b)(2)(v) of this section, when requested by CBP. This documentation and information may be made available to CBP by the importer or the importer may arrange to have the documentation and information made available to CBP directly by the exporter, producer, or entity controlling production:

(i) Documentation and other information regarding all apparel articles that meet the requirements specified in § 10.843(a) of this subpart that were exported to the United States and that were entered during the applicable one-year period, whether or not a claim for duty-free treatment was made under § 10.847 of this subpart. Those records and other information include, but are not limited to, work orders and other production records, purchase orders, invoices, bills of lading and other shipping documents;

(ii) Records to document the cost of all yarn, fabric, fabric components, and knit-to-shape components that were used in the production of the articles in question, such as purchase orders, invoices, bills of lading and other shipping documents, and customs import and clearance documents, work

orders and other production records, and inventory control records;

(iii) Records to document the direct costs of processing operations performed in Haiti or one or more eligible countries described in § 10.844(c) of this subpart, such as direct labor and fringe expenses, machinery and tooling costs, factory expenses, and testing and inspection expenses that were incurred in production;

(iv) Affidavits or statements of origin that certify who manufactured the yarn, fabric, fabric components and knit-to-shape components. The affidavit or statement of origin should include a product description, name and address of the producer, and the date the articles were produced. An affidavit for fabric components should state whether or not subassembly operations occurred; and

(v) Summary accounting and financial records which relate to the source records provided for in paragraphs (b)(2)(i) through (b)(2)(iii) of this section.

**PART 163—RECORDKEEPING**

■ 4. The authority citation for part 163 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1484, 1508, 1509, 1510, 1624.

■ 5. The Appendix to part 163 is amended by adding a new listing under section IV in numerical order to read as follows:

**Appendix to Part 163—Interim (a)(1)(A) list.**

\* \* \* \* \*  
IV. \* \* \*

**§ 10.848 HOPE Act Declaration of Compliance.**

\* \* \* \* \*

**PART 178—APPROVAL OF INFORMATION COLLECTION REQUIREMENTS**

■ 6. The authority citation for part 178 continues to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 1624; 44 U.S.C. 3501 *et seq.*

■ 7. Section 178.2 is amended by adding new listings to the table in numerical order to read as follows:

**§ 178.2 Listing of OMB control numbers.**

19 CFR section	Description	OMB control No.
* * * * *		
§ 10.847 and 10.848	Claim for duty-free treatment under the HOPE Act	1651
* * * * *		

**Deborah J. Spero,**  
*Acting Commissioner of Customs, Customs and Border Protection.*

Approved: June 20, 2007.

**Timothy E. Skud,**  
*Deputy Assistant Secretary of the Treasury.*  
[FR Doc. 07-3101 Filed 6-20-07; 2:17 pm]

**BILLING CODE 9111-14-P**

**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**31 CFR Part 537**

**Burmese Sanctions Regulations**

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

**ACTION:** Final rule.

**SUMMARY:** The Office of Foreign Assets Control of the U.S. Department of the Treasury (“OFAC”) is amending the Burmese Sanctions Regulations, 31 CFR 537, to add new § 537.527, which sets

forth a statement of OFAC licensing policy with respect to the issuance of specific licenses for the importation of Burmese origin animals and specimens, in sample quantities only, for bona fide scientific research and analysis purposes.

**DATES:** *Effective Date:* June 22, 2007.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director for Licensing, tel.: 202/622-2480, Assistant Director for Compliance Outreach & Implementation, tel.: 202/622-2490, Assistant Director for Policy, tel.: 202/622-4855, Office of Foreign Assets Control, or Chief Counsel (Foreign Assets Control), tel.: 202/622-2410, Office of the General Counsel, Department of the Treasury, Washington, DC 20220 (not toll free numbers).

**SUPPLEMENTARY INFORMATION:**

**Electronic and Facsimile Availability**

This document and additional information concerning the Office of

Foreign Assets Control are available from OFAC’s Web site (<http://www.treas.gov/ofac>) or via facsimile through a 24-hour fax-on demand service, tel.: (202) 622-0077.

**Background**

The Office of Foreign Assets Control (“OFAC”) promulgated the Burmese Sanctions Regulations, 31 CFR part 537 (the “Regulations”), on May 21, 1998, to implement Executive Order 13047 of May 20, 1997 (“E.O. 13047”), in which the President declared a national emergency with respect to the actions and policies of the Government of Burma, including the large-scale repression of the democratic opposition in Burma after September 30, 1996. To deal with that emergency, E.O. 13047 prohibited new investment in Burma by U.S. persons.

On July 28, 2003, the Burmese Freedom and Democracy Act of 2003 (the “BFDA”) was signed into law to restrict the financial resources of Burma’s ruling military junta, the State

Peace and Development Council. Section 3(a) of the BFDA requires the President to ban the importation into the United States of any article that is a product of Burma. Section 3(b) of the BFDA, however, permits the President to waive the importation prohibition for any or all articles that are a product of Burma if the President determines that such a waiver is in the national interest of the United States and notifies the appropriate Congressional committees.

To implement the BFDA and to take additional steps with respect to the Government of Burma's continued repression of the democratic opposition in Burma and with respect to the national emergency declared in E.O. 13047, the President issued Executive Order 13310 ("E.O. 13310") on July 28, 2003. Section 3 of E.O. 13310 implements the importation ban set forth in section 3(a) of the BFDA. Section 9 of E.O. 13310 delegates the President's waiver authority under section 3(b) of the BFDA to the Secretary of State and authorizes the Secretary of the Treasury to take such actions, including the promulgation of rules and regulations, as may be necessary to carry out the purposes of the order. The Secretary of the Treasury has, in turn, authorized the Director of OFAC to take these actions. 31 CFR 537.802. Accordingly, on August 16, 2005, OFAC promulgated amendments to the Regulations to implement the provisions of E.O. 13310. Section 537.203 of the Regulations prohibits the importation into the United States of any article that is a product of Burma.

On August 4, 2006, in accordance with section 3(b) of the BFDA and section 9 of E.O. 13310, the Department of State determined that it is in the national interest of the United States to waive the importation prohibition of the BFDA for animals and specimens of Burmese origin, in sample quantities only, that are imported for bona fide scientific research and analysis purposes. The purpose of this waiver was to allow OFAC to issue licenses authorizing such imports on a case-by-case basis. Consistent with section 3(b) of the BFDA, notification of the Department of State's waiver determination was provided to the appropriate committees of Congress.

Based on this determination, OFAC is amending the Regulations to add a new § 537.527, setting forth a statement of licensing policy. Section 537.527 provides that specific licenses may be issued on a case-by-case basis authorizing the importation into the United States of animals and specimens of Burmese origin, in sample quantities

only, for bona fide scientific research and analysis purposes.

#### Public Participation

Because the amendment of the Regulations involves a foreign affairs function, Executive Order 12866 and the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act (5 U.S.C. 601-612) does not apply.

#### Paperwork Reduction Act

The collections of information related to the Regulations are contained in 31 CFR part 501 (the "Reporting, Procedures and Penalties Regulations"). Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), those collections of information have been approved by the Office of Management and Budget under control number 1505-0164. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

#### List of Subjects in 31 CFR Part 537

Administrative practice and procedure, Banks, Banking, Burma, Currency, Foreign investments in United States, Foreign trade, Penalties, Reporting and recordkeeping requirements, Securities.

■ For the reasons set forth in the preamble, the Office of Foreign Assets Control amends 31 CFR part 537 to read as follows:

#### PART 537—BURMESE SANCTIONS REGULATIONS

■ 1. The authority citation for part 537 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; Sec. 570, Pub. L. 104-208, 110 Stat. 3009; Pub. L. 108-61, 117 Stat. 864; Pub. L. 109-177, 120 Stat. 192; E.O. 13047, 62 FR 28301, 3 CFR, 1997 Comp., p. 202; E.O. 13310, 68 FR 44853, 3 CFR, 2004 Comp., p. 241.

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

■ 2. Add a new § 537.527 to read as follows:

##### § 537.527 Importation into the United States of Burmese-origin animals and specimens.

Specific licenses may be issued on a case-by-case basis authorizing the importation into the United States of

animals and specimens of Burmese origin, in sample quantities only, for bona fide scientific research and analysis purposes.

Dated: May 16, 2007.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

[FR Doc. E7-12148 Filed 6-21-07; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 110

[CGD01-06-023]

RIN 1625-AA01

#### Anchorage Regulations; Port of New York and Vicinity

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is expanding the boundary of a Special Anchorage Area on the Hudson River at Nyack, NY. This action is necessary to facilitate safe navigation in that area and provide safe and secure anchorages for vessels not more than 20 meters in length. This action is intended to increase the safety of life and property on the Hudson River, improve the safety of anchored vessels, and provide for the overall safe and efficient flow of recreational vessel traffic and commerce.

**DATES:** This rule is effective from July 23, 2007.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD01-06-023) and are available for inspection or copying at Waterways Management Division, Coast Guard Sector New York, 212 Coast Guard Drive, room 209, Staten Island, New York 10305 between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander M. McBrady, Waterways Management Division, Coast Guard Sector New York at (718) 354-2353.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On February 6, 2007, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled "Anchorage Regulations; Port of New York and Vicinity" in the **Federal Register** (72 FR 5382). We received no