Dated: Approved: July 17, 2001.

Robert E. Wenzel,

Deputy Commissioner of Internal Revenue.

Mark Weinberger,

Assistant Secretary of the Treasury.

[FR Doc. 01–18417 Filed 7–24–01; 8:45 am]

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 4, 5, 7, 17, 19, 20, 22, 24, 25, 26, 70, 250, and 251

[T.D. ATF–459]

RIN 1512–AC40

Liquors and Articles From Puerto RIco and the Virgin Islands; Recodification of Regulations (2001R–56P)

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final Rule (Treasury decision).

SUMMARY: The Bureau of Alcohol, Tobacco and Firearms (ATF) is recodifying the regulations pertaining to liquors and articles from Puerto Rico and the Virgin Islands. The purpose of this recodification is to reissue the regulations in part 250 of title 27 of the Code of Federal Regulations (27 CFR part 250) as 27 CFR part 26. This change improves the organization of title 27.

DATES: This rule is effective on July 25, 2001.

FOR FURTHER INFORMATION CONTACT: Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW, Washington, DC 20226, (202–927–9347) or e-mail at LMGesser@atfhq.atf.treas.gov.

SUPPLEMENTARY INFORMATION:

Background

As a part of continuing efforts to reorganize the part numbering system of title 27 CFR, ATF is removing part 250, in its entirety, and is recodifying the regulations as 27 CFR part 26. This change improves the organization of title 27 CFR.

In addition to the recodification, ATF is making two technical amendments to title 27 CFR, chapter I. Specifically, we are designating Subchapter B as Tobacco and in part 251 we are revising the reference to part 240 to read part 24.

DERIVATION TABLE FOR PART 26

The requirements of sec.	Are derived from sec.
Subpart A	
26.1	250.1
26.2	250.2
26.3	250.3
Subpart B	
26.11	250.11
Subpart C—[Reserved]	
Subpart Ca	
26.30	250.30
26.31	250.31
Subpart Cb	
26.35	250.35
26.36	250.36
26.36a	250.36a
26.36b	250.36b
26.36c	250.36c
26.37	250.37
26.38	250.38
26.39	250.39
26.40	250.40
26.41	250.41
26.43	250.43
26.44	250.44
26.45	250.45
26.46	250.46
26.47	250.47
Subpart D	
26.50	250.50
26.50a	250.50a
26.51	250.51
26.52	250.52
26.53	250.53
26.54	250.54
26.55	250.55
Subpart E	
26.61	250.61
26.62	250.62
26.62a	250.62a
26.62b	250.62b
26.63	250.63
26.64	250.64
26.65	250.65
26.66	250.66
26.67	250.67
26.68	250.68
26.68a	250.68a
26.69	250.69
26.70	250.70
26.70a	250.70a
26.71	250.71
26.72	250.72
26.73	250.73
26.74	250.74
26.75	250.75
26.76	250.76
26.77	250.77
26.78	250.78
26.79	250.79
26.79a	250.79a
26.80	250.80
26.81	250.81
26.82	250.82

DERIVATION TABLE FOR PART 26—Continued

The requirements of sec.	Are derived from sec.
26.86	250.86
26.87	250.87
26.92	250.92
26.93	250.93
26.94	250.94
26.95	250.95
26.96	250.96
26.96a	250.96a
26.96b	250.96b
26.97	250.97
26.101	250.101
26.102	250.102
26.103	250.103
26.104	250.104
26.105	250.105
26.105a	250.105a
26.106	250.106
26.107	250.107
26.108	250.108
26.109	250.109
26.110	250.110
26.111	250.111
26.112	250.112
26.112a	250.112a
26.113	250.113
26.114	250.114
26.115	250.115
26.116	250.116
26.117	250.117
26.118	250.118
26.119	250.119
Subpart F	
26.125	250.125
26.126	250.126
26.128	250.128
Subpart G	
26.135	250.135
26.136	250.136
Subpart H	
26.163	250.163
26.164	250.164
26.164a	250.164a
26.165	250.165
Subpart I	
26.170	250.170
26.171	250.171
26.172	250.172
26.173	250.173
26.174	250.174
Subpart Ia	
26.191	250.191
26.192	250.192
26.193	250.193
26.194	250.194
Subpart Ib	
26.196	250.196
26.197	250.197
26.198	250.198
26.199	250.199

DERIVATION TABLE FOR PART 26—Continued

The requirements of sec.	Are derived from sec.
26.199a	250.199a
26.199b	250.199b
26.199c	250.199c
26.199d	250.199d
26.199e	250.199e
26.199f	250.199f
Subpart J	
26.200	250.200
26.201	250.201
26.201a	250.201a
26.201b	250.201b
26.201c	250.201c
26.202	250.202
26.203	250.203
26.203a	250.203a
26.204	250.204
26.204a	250.204a
26.205	250.205
26.206	250.206
26.207	250.207
26.209	250.209
26.210	250.210
26.211	250.211
Subpart K	
26.220	250.220
26.221	250.221
26.222	250.222
26.223	250.223
26.224	250.224
26.225	250.225
Subpart L	
26.230	250.230
26.231	250.231
Subpart M	
26.260	250.260
26.261	250.261
26.262	250.262
26.262a	250.262a
26.263	250.263
26.264	250.264
26.265	250.265
26.266	250.266
26.267	250.267
Subpart N	
26.272	250.272
26.273	250.273
26.273a	250.273a
26.273b	250.273b
26.275	250.275
26.276	250.276
26.277	250.277
Subpart O	
26.291	250.291
26.292	250.292
26.293	250.293
26.294	250.294
26.295	250.295
26.296	250.296

DERIVATION TABLE FOR PART 26—Continued

The requirements of sec.	Are derived from sec.
26.297	250.297
Subpart Oa	
26.300	250.300
26.301	250.301
26.302	250.302
26.303	250.303
26.304	250.304
26.305	250.305
Subpart Ob	
26.306	250.306
26.307	250.307
26.308	250.308
26.309	250.309
26.310	250.310
Subpart P	
26.311	250.311
26.312	250.312
26.314	250.314
26.315	250.315
26.316	250.316
26.317	250.317
26.318	250.318
26.319	250.319
Subpart Q	
26.331	250.331

Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, Public Law 104–13, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no new or revised recordkeeping or reporting requirements.

Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule under the Administrative Procedure Act (5 U.S.C. 553), the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. We sent a copy of this final rule to the Chief Counsel for Advocacy of the Small Business Administration in accordance with 26 U.S.C. 7805(f). No comments were received.

Executive Order 12866

This final rule is not a significant regulatory action as defined in Executive Order 12866. Accordingly, this final rule is not subject to the analysis required by this Executive Order.

Administrative Procedure Act

Because this final rule merely makes technical amendments and conforming changes to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly, because of the nature of this final rule, good cause is found that it is unnecessary to subject this final rule to the effective date limitation of 5 U.S.C. 553(d).

Drafting Information

The principal author of this document is Lisa M. Gesser, Regulations Division, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects

27 CFR Part 4

Advertising, Customs duties and inspection, Imports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Trade practices, Wine.

27 CFR Part 5

Advertising, Customs duties and inspection, Imports, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Trade practices.

27 CFR Part 7

Advertising, Beer, Customs duties and inspection, Imports, Labeling, Reporting and recordkeeping requirements, Trade practices.

27 CFR Part 17

Administrative practice and procedure, Claims, Cosmetics, Customs duties and inspection, Drugs, Excise taxes, Exports, Imports, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Spices and flavorings, Surety bonds, Virgin Islands.

27 CFR Part 19

Caribbean Basin initiative, Claims, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Surety bonds, Vinegar, Virgin Islands, Warehouses.

27 CFR Part 20

Alcohol and alcoholic beverages, Claims, Cosmetics, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting and recordkeeping requirements, Surety bonds.

27 CFR Part 22

Administrative practice and procedure, Alcohol and alcoholic beverages, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

27 CFR Part 24

Administrative practice and procedure, Claims, Electronic funds transfers, Excise taxes, Exports, Food additives, Fruit juices, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavorings, Surety bonds, Vinegar, Warehouses, Wine.

27 CFR Part 25

Beer, Claims, Electronic funds transfers, Excise taxes, Exports, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Research, Surety bonds.

27 CFR Part 26

Alcohol and alcoholic beverages, Caribbean Basin initiative, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Virgin Islands, Warehouses.

27 CFR Part 70

Administrative practice and procedure, Claims, Excise taxes, Freedom of information, Law enforcement, Penalties, Reporting and recordkeeping requirements, Surety bonds.

27 CFR Part 250

Alcohol and alcoholic beverages, Caribbean Basin initiative, Claims, Customs duties and inspection, Electronic funds transfers, Excise taxes, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Surety bonds, Virgin Islands, Warehouses.

27 CFR Part 251

Alcohol and alcoholic beverages, Beer, Cosmetics, Customs duties and inspection, Electronic funds transfers, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Reporting and recordkeeping requirements, Wine.

Authority and Issuance

ATF is amending title 27 of the Code of Federal Regulations, chapter I, as follows:

PART 4—LABELING AND ADVERTISING OF WINE

Par. 1. The authority citation for 27 CFR part 4 continues to read as follows:

Authority: 27 U.S.C. 205, unless otherwise noted.

Par. 2. Under the heading ''Cross References,'' remove the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and add, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

PART 5—LABELING AND ADVERTISING OF DISTILLED SPIRITS

Par. 3. The authority citation for 27 CFR part 5 continues to read as follows:

Authority: 26 U.S.C. 5301, 7805; 27 U.S.C. 205.

§ 5.2 [Amended]

Par. 4. Amend § 5.2 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES

Par. 5. The authority citation for 27 CFR part 7 continues to read as follows:

Authority: 27 U.S.C. 205.

§ 7.4 [Amended]

Par. 6. Amend § 7.4 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

PART 17—DRAWBACK ON TAXPAID DISTILLED SPIRITS USED IN MANUFACTURING NONBEVERAGE PRODUCTS

Par. 7. The authority citation for 27 CFR part 17 continues to read as follows:

Authority: 26 U.S.C. 5010, 5131–5134, 5143, 5146, 5206, 5273, 6011, 6065, 6091, 6109, 6151, 6402, 6511, 7011, 7213, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 17.5 [Amended]

Par. 8. Amend § 17.5 by removing the reference to ''part 250'' and adding, in its place, a reference to ''part 26.''

PART 19—DISTILLED SPIRITS PLANTS

Par. 9. The authority citation for 27 CFR part 19 continues to read as follows:

Authority: 19 U.S.C. 81c 1131; 26 U.S.C. 5001, 5002, 5004–5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111–5113, 5142, 5143, 5146, 5171–5173, 5175, 5176, 5178–5181, 5201–5204, 5206, 5207, 5211–5215, 5221–5223, 5231, 5232, 5235, 5236, 5241–5243, 5271, 5273, 5301, 5311–5313, 5362, 5370, 5373, 5501–5505, 5551–5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 19.3 [Amended]

Par. 10. Amend § 19.3 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

§ 19.485 [Amended]

Par. 11. Amend § 19.485 as follows:

a. In paragraph (a)(1), remove the reference to ''27 CFR 250.40'' and add, in its place, a reference to ''27 CFR 26.40''; and

b. In paragraph (a)(2), remove the reference to ''27 CFR 250.206'' and add, in its place, a reference to ''27 CFR 26.206.''

§ 19.524 [Amended]

Par. 12. Amend paragraphs (a)(1), (b)(1) and (b)(3) of § 19.524 by removing the reference to ''parts 250 and 251'' and adding, in its place, a reference to ''parts 26 and 251.''

PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM

Par. 13. The authority citation for 27 CFR part 20 continues to read as follows:

Authority: 26 U.S.C. 5001, 5206, 5214, 5271–5275, 5552, 5555, 5607, 6065, 7805.

§ 20.3 [Amended]

Par. 14. Amend § 20.3 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

Par. 15. The authority citation for 27 CFR part 22 continues to read as follows:

Authority: 26 U.S.C. 5001, 5121, 5142, 5143, 5146, 5206, 5271–5276, 5311, 5552, 5555, 6056, 6061, 6065, 6109, 6151, 6806, 7011, 7805; 31 U.S.C. 9304, 9306.

§ 22.3 [Amended]

Par. 16. Amend § 22.3 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

PART 24—WINE

Par. 17. The authority citation for 27 CFR part 24 continues to read as follows:

Authority: 5 U.S.C. 552(a); 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5081, 5111–5113, 5121, 5122, 5142, 5143, 5173, 5206, 5214, 5215, 5351, 5353, 5354, 5356, 5357, 5361, 5362, 5364–5373, 5381–5388, 5391, 5392, 5511, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7011, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 24.4 [Amended]

Par. 18. Amend § 24.4 by removing the reference to ''27 CFR Part 250-Liquors and Articles from Puerto Rico and the Virgin Islands'' and adding, in part number order, a reference to ''27 CFR Part 26-Liquors and Articles from Puerto Rico and the Virgin Islands.''

§ 24.272 [Amended]

Par. 19. Amend paragraphs (a)(1), (b)(1) and (b)(3) of § 24.272 by removing the reference to ''parts 250 and 251'' and adding, in its place, a reference to ''parts 26 and 251.''

PART 25—BEER

Par. 20. The authority citation for 27 CFR part 25 continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5002, 5051–5054, 5056, 5061, 5091, 5111, 5113, 5142, 5143, 5146, 5222, 5401–5403, 5411–5417, 5551, 5552, 5555, 5556, 5671, 5673, 5684, 6011, 6061, 6065, 6091, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6651, 6656, 6676, 6806, 7011, 7342, 7606, 7805; 31 U.S.C. 9301, 9303–9308.

§ 25.165 [Amended]

Par. 21. Amend paragraph (a)(1), (b)(1) and (b)(3) of § 25.165 by removing the reference to ''Parts 250 and 251'' and adding, in its place, a reference to ''parts 26 and 251.''

Par. 21a. Add the following heading to Subchapter B:

Subchapter B—Tobacco

* * * * *

PART 70—PROCEDURE AND ADMINISTRATION

Par. 22. The authority citation for 27 CFR part 70 continues to read as follows:

Authority: 5 U.S.C. 301 and 552; 26 U.S.C. 4181, 4182, 5146, 5203, 5207, 5275, 5367, 5415, 5504, 5555, 5684(a), 5741, 5761(b), 5802, 6020, 6021, 6064, 6102, 6155, 6159, 6201, 6203, 6204, 6301, 6303, 6311, 6313, 6314, 6321, 6323, 6325, 6326, 6331–6343, 6401–6404, 6407, 6416, 6423, 6501–6503, 6511, 6513, 6514, 6532, 6601, 6602, 6611, 6621, 6622, 6651, 6653, 6656–6658, 6665, 6671, 6672, 6701, 6723, 6801, 6862, 6863, 6901, 7011, 7101, 7102, 7121, 7122, 7207, 7209, 7214, 7304, 7401, 7403, 7406, 7423, 7424, 7425, 7426, 7429, 7430, 7432, 7502, 7503, 7505, 7506, 7513, 7601–7606, 7608–7610, 7622, 7623, 7653, 7805.

§§ 70.411 and 70.461 [Amended]

Par. 23. Remove the reference to ''part 250'' and add, in its place, a reference to ''part 26'' in the following places:

a. Section 70.411(c)(26); and

b. Section 70.461.

PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

Par. 24. The authority citation for 27 CFR part 251 continues to read as follows:

Authority: 5 U.S.C. 552(a), 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5054, 5061, 5111, 5112, 5114, 5121, 5122, 5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5555, 6302, 7805.

Par. 25. Under the heading ''Cross Reference,'' remove the reference to ''part 250'' and add, in its place, a reference to ''part 26.''

§ 251.1 [Amended]

Par. 26. Revise the ''Note'' in § 251.1 to read as follows:

§ 251.1 Imported distilled spirits, wines, and beer.

* * * * *

Note: Distilled spirits, wines, and beer arriving in the United States from Puerto Rico and the Virgin Islands are governed by the provisions of part 26 of this chapter.

* * * * *

§ 251.48a [Amended]

Par. 27. Amend paragraph (a) of § 251.48a as follows:

a. Remove the reference to ''parts 19 and 250'' and add, in its place, a reference to ''parts 19 and 26'';

b. Remove the reference to ''parts 240 and 250'' and add, in its place, a reference to ''parts 24 and 26''; and

c. Remove the reference to ''parts 25 and 250'' and add, in its place, a reference to ''parts 25 and 26.''

PART 250—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Par. 28. The authority citation for 27 CFR part 250 continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131–5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 203, 205; 31 U.S.C. 9301, 9303, 9304, 9306.

PART 250—[REDESIGNATED AS PART 26]

Par. 29. Redesignate 27 CFR part 250 as 27 CFR part 26.

PART 26—LIQUORS AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS

Par. 30. The authority citation for the newly redesignated part 26 of title 27 CFR, subchapter A, continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131–5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 203, 205; 31 U.S.C. 9301, 9303, 9304, 9306.

§ 26.3 [Amended]

Par. 30a. Amend § 26.3 as follows:

a. Remove the reference to ''part 250,'' each place it appears, and add, in its place, a reference to ''part 26''; and

b. Remove the reference to ''ATF Order 1130.23,'' each place it appears, and add, in its place, a reference to ''ATF Order 1130.29.''

§ 26.11 [Amended]

Par. 31. Amend § 26.11 as follows:

a. In the definition of ''Appropriate ATF Officer,'' remove the reference to ''ATF Order 1130.23, Delegation Order—Delegation of the Director's Authorities in 27 CFR Part 250,'' and add, in its place, a reference to ''ATF Order 1130.29, Delegation Order—Delegation of the Director's Authorities in 27 CFR Part 26''; and

b. In the definition of ''Virgin Islands regulations,'' remove the reference to ''§ 250.201a'' and add, in its place, a reference to ''§ 26.201a.''

§ 26.30 [Amended]

Par. 32. Amend § 26.30 by removing the reference to ''§ 250.31'' and adding, in its place, a reference to ''§ 26.31.''

§§ 26.35, 26.47 and 26.107 [Amended]

Par. 33. Remove the reference to ''§ 250.36,'' each place it appears, and

add, in its place, a reference to ''§ 26.36,'' in the following places:
a. Section 26.35(a);
b. Section 26.47; and
c. Section 26.107.

§ 26.45 [Amended]

Par. 34. Amend § 26.45 by removing the reference to ''§ 250.44'' and adding, in its place, a reference to ''§ 26.44.''

§ 26.50 [Amended]

Par. 35. Amend § 26.50 as follows:
a. In paragraph (a), remove the reference to ''§ 250.36'' and add, in its place, a reference to ''§ 26.36''; and
b. In paragraphs (a) and (b), remove the reference to ''§ 250.54'' and add, in its place, a reference to ''§ 26.54.''

§ 26.51 [Amended]

Par. 36. Amend paragraph (c) of § 26.51 by removing the reference to ''§ 250.54'' and adding, in its place, a reference to ''§ 26.54.''

§ 26.55 [Amended]

Par. 37. Amend § 26.55 by removing the reference to ''§ 250.52'' and adding, in its place, a reference to ''§ 26.52.''

§ 26.68a [Amended]

Par. 38. Amend § 26.68a as follows:
a. Remove the reference to ''§§ 250.66(a), 250.67, or § 250.68'' and add, in its place, a reference to ''§§ 26.66(a), 26.67, or 26.68''; and
b. Remove the reference to ''§ 250.66(b)'' and add, in its place, a reference to ''§ 26.66(b).''

§§ 26.70, 26.71 and 26.73 [Amended]

Par. 39. Remove the reference to ''§ 250.72'' and add, in its place, a reference to ''§ 26.72,'' in the following places:
a. Section 26.70;
b. Section 26.71(a); and c. Section 26.73.

§ 26.72 [Amended]

Par. 40. Amend § 26.72 by removing the reference to ''§ 250.73'' and adding, in its place, a reference to ''§ 26.73.''

§ 26.74 [Amended]

Par. 41. Amend § 26.74 by removing the reference to ''§ 250.63'' and adding, in its place, a reference to ''§ 26.63.''

§ 26.77 [Amended]

Par. 42. Amend paragraph (c) of § 26.77 by removing the reference to ''§ 250.79a'' and adding, in its place, a reference to ''§ 26.79a.''

§§ 26.79, 26.80, 26.81, 26.199a and 26.199b [Amended]

Par. 43. Remove the reference to ''§ 250.164a'' and add, in its place, a reference to ''§ 26.164a,'' in the following places:
a. Section 26.79(a);
b. Section 26.80(a);
c. Section 26.81(a);
d. Section 26.199a(a); and
e. Section 26.199b.

§ 26.82 [Amended]

Par. 44. Amend § 26.82 by removing the reference to ''§§ 250.114 through 250.116'' and adding, in its place, a reference to ''§§ 26.114 through 26.116.''

§ 26.87 [Amended]

Par. 45. Amend § 26.87 as follows:
a. Remove the reference to ''§ 250.86'' and add, in its place, a reference to ''§ 26.86'';
b. Remove the reference to ''§ 250.81'' and add, in its place, a reference to ''§ 26.81'';
c. Remove the reference to ''§ 250.80'' and add, in its place, a reference to ''§ 26.80'';
d. Remove the reference to ''§ 250.78'' and add, in its place, a reference to ''§ 26.78''; an
e. Remove the reference to ''§§ 250.114 through 250.116'' and add, in its place, a reference to ''§§ 26.114 through 26.116.''

§§ 26.95 and 26.104 [Amended]

Par. 46. Remove the reference to ''§ 250.80(b)'' and add, in its place, a reference to ''§ 26.80(b),'' in the following places:
a. Section 26.95(b); and
b. Section 26.104(b).

§ 26.96b [Amended]

Par. 47. Amend § 26.96b as follows:
a. Remove the reference to ''§ 250.95 or § 250.96'' and add, in its place, a reference to ''§ 26.95 or § 26.96''; and
b. Remove the reference to ''§§ 250.114 through 250.116'' and add, in its place, a reference to ''§§ 26.114 through 26.116.''

§ 26.105a [Amended]

Par. 48. Amend § 26.105a as follows:
a. Remove the reference to ''§ 250.104 or § 250.105'' and add, in its place, a reference to ''§ 26.104 or § 26.105''; and
b. Remove the reference to ''§§ 250.114 through 250.116'' and add, in its place, a reference to ''§§ 26.114 through 26.116.''

§ 26.108 [Amended]

Par. 49. Amend § 26.108 as follows:
a. In paragraph (a), remove the reference to ''§ 250.78'' and add, in its place, a reference to ''§ 26.78'';
b. In paragraph (b), remove the reference to ''§§ 250.93 and/or 250.102'' and add, in its place, a reference to ''§§ 26.93 and/or 26.102''; and
c. In paragraph (c), remove the reference to ''§§ 250.78, 250.93, and/or § 250.102'' and add, in its place, a reference to ''§§ 26.78, 26.93, and/or § 26.102.''

§ 26.109 [Amended]

Par. 50. Amend § 26.109 as follows:
a. In paragraph (a), remove the reference to ''§ 250.79'' and add, in its place, a reference to ''§ 26.79'';
b. In paragraph (a), remove the reference to ''§§ 250.80, 250.81 and 250.111 through 250.113'' and add, in its place, a reference to ''§§ 26.80, 26.81, and 26.111 through 26.113'';
c. In paragraph (b), remove the reference to ''§ 250.94'' and add, in its place, a reference to ''§ 26.94'';
d. In paragraph (b), remove the reference to ''§§ 250.95, 250.96, and 250.111 through 250.113'' and add, in its place, a reference to ''§§ 26.95, 26.96 and 26.111 through 26.113'';
e. In paragraph (c), remove the reference to ''§ 250.103'' and add, in its place, a reference to ''§ 26.103''; and
f. In paragraph (c), remove the reference to ''§§ 250.104, 250.105, and 250.111 through 250.113'' and add, in its place, a reference to ''§§ 26.104, 26.105 and 26.111 through 26.113.''

§ 26.110 [Amended]

Par. 51. Amend § 26.110 as follows:
a. Remove the reference to ''§ 250.164a'' and add, in its place, a reference to ''§ 26.164a''; and
b. Remove the reference to ''§§ 250.114 through 250.116'' and add, in its place, a reference to ''§§ 26.114 through 26.116.''

§ 26.112 [Amended]

Par. 52. Amend § 26.112 as follows:
a. In paragraph (a), remove the reference to ''§§ 250.80, 250.95 or 250.104'' and add, in its place, a reference to ''§§ 26.80, 26.95 or 26.104'';
b. In paragraphs (c)(2) and (d)(2), remove the reference to ''§ 250.112a'' and add, in its place, a reference to ''§ 26.112a''; and
c. In paragraph (e), remove the reference to ''§ 250.113'' and add, in its place, a reference to ''§ 26.113.''

§ 26.112a [Amended]

Par. 53. Amend § 26.112a as follows:
a. In paragraphs (a)(1), (b)(2), and (b)(3), remove the reference to ''§ 250.112'' and add, in its place, a reference to ''§ 26.112''; and
b. In paragraph (b)(2), remove the reference to ''§ 250.113'' and add, in its place, a reference to ''§ 26.113.''

§ 26.113 [Amended]

Par. 54. Amend § 26.113 as follows:

a. In paragraph (c), remove the reference to ''§ 250.81'' and add, in its place, a reference to ''§ 26.81'';

b. In paragraph (d), remove the reference to ''§ 250.96'' and add, in its place, a reference to ''§ 26.96'';

c. In paragraph (e), remove the reference to ''§ 250.105'' and add, in its place, a reference to ''§ 26.105''; and

d. In paragraph (f), remove the reference to ''§ 250.112(c)'' and add, in its place, a reference to ''§ 26.112(c).''

§ 26.114 [Amended]

Par. 55. Amend § 26.114 by removing the reference to ''§§ 250.115 and 250.116'' and adding, in its place, a reference to ''§§ 26.115 and 26.116.''

§ 26.115 [Amended]

Par. 56. Amend § 26.115 by removing the reference to ''§ 250.116'' and adding, in its place, a reference to ''§ 26.116.''

§ 26.163 [Amended]

Par. 57. Amend § 26.163 by removing the reference to ''§ 250.164'' and adding, in its place, a reference to ''§ 26.164.''

§ 26.165 [Amended]

Par. 58. Amend § 26.165 as follows:

a. In paragraph (a)(2), remove the reference to ''§ 250.79a'' and add, in its place, a reference to ''§ 26.79a''; and

b. In paragraph (a)(3), remove the reference to ''§ 250.50a'' and add, in its place, a reference to ''§ 26.50a.''

§ 26.173 [Amended]

Par. 59. Amend paragraph (b)(4) of § 26.173 by removing the reference to ''§ 250.51'' and adding, in its place, a reference to ''§ 26.51.''

§ 26.193 [Amended]

Par. 60. Amend § 26.193 as follows:

a. In paragraph (a), remove the reference to ''§§ 250.107 through 250.110'' and add, in its place, a reference to ''§§ 26.107 through 26.110''; and

b. In paragraph (b), remove the reference to ''§ 250.113'' and add, in its place, a reference to ''§ 26.113.''

§ 26.194 [Amended]

Par. 61. Amend § 26.194 as follows:

a. In paragraph (a), remove the reference to ''§ 250.193(b)'' and add, in its place, a reference to ''§ 26.193(b)''; and

b. In paragraph (b), remove the reference to ''§ 250.113'' and add, in its place, a reference to ''§ 26.113.''

§ 26.196 [Amended]

Par. 62. Amend § 26.196 by removing the reference to ''§ 250.86'' and adding, in its place, a reference to ''§ 26.86.''

§ 26.200 [Amended]

Par. 63. Amend paragraph (a) of § 26.200 by removing the reference to ''§ 250.201,'' each place it appears, and adding, in its place, a reference to ''§ 26.201.''

§§ 26.204, 26.260, 26.263, 26.264 and 26.265 [Amended]

Par. 64. Remove the reference to ''§ 250.205'' and add, in its place, a reference to ''§ 26.205,'' in the following places:

a. Section 26.204;

b. Section 26.260;

c. Section 26.263;

d. Section 26.264; and

e. Section 26.265.

§ 26.205 [Amended]

Par. 65. Amend § 26.205 as follows:

a. In the introductory text of paragraph (a)(8), remove the reference to ''§ 250.262a'' and add, in its place, a reference to ''§ 26.262a'';

b. In paragraph (a)(8)(iv), remove the reference to ''§ 250.204a'' and add, in its place, a reference to ''§ 26.204a''; and

c. In paragraph (b), remove the reference to ''§§ 250.260 and 250.302'' and add, in its place, a reference to ''§§ 26.260 and 26.302.''

§ 26.211 [Amended]

Par. 66. Amend § 26.211 by removing the reference to ''§ 250.210'' and adding, in its place, a reference to ''§ 26.210.''

§§ 26.220 and 26.221 [Amended]

Par. 67. Remove the reference to ''§ 250.224'' and add, in its place, a reference to ''§ 26.224,'' in the following places:

a. Section 26.220(a) and (b); and b. Section 26.221(c).

§ 26.225 [Amended]

Par. 68. Amend § 26.225 by removing the reference to ''§ 250.222'' and adding, in its place, a reference to ''§ 26.222.''

§ 26.261 [Amended]

Par. 69. Amend § 26.261 as follows:

a. Remove the reference to ''§ 250.205'' and add, in its place, a reference to ''§ 26.205''; and

b. Remove the reference to ''§§ 250.262 through 250.265'' and add, in its place, a reference to ''§§ 26.262 through 26.265.''

§ 26.262 [Amended]

Par. 70. Amend § 26.262 as follows:

a. In paragraph (a), remove the reference to ''§ 250.205'' and add, in its place, a reference to ''§ 26.205''; and

b. In paragraph (c), remove the reference to ''§ 250.262a'' and add, in its place, a reference to ''§ 26.262a.''

§ 26.272 [Amended]

Par. 71. Amend § 26.272 by removing the reference to ''§ 250.273'' and adding, in its place, a reference to ''§ 26.273.''

§ 26.273a [Amended]

Par. 72. Amend the introductory text of § 26.273a by removing the reference to ''250.301'' and adding, in its place, a reference to ''26.301.''

§ 26.291 [Amended]

Par. 73. Amend § 26.291 as follows:

a. In paragraph (a), remove the reference to ''§ 250.292 through 250.294'' and add, in its place, a reference to ''§§ 26.292 through 26.294'';

b. In paragraph (b)(1), remove the reference to ''§§ 250.292 through 250.294'' and add, in its place, a reference to ''§§ 26.292 through 26.294'';

c. In paragraphs (b)(2) and (c), remove the reference to ''§§ 250.295 through 250.296'' and add, in its place, a reference to ''§§ 26.295 through 26.296''; and

d. In paragraph (c), remove the reference to ''§ 250.221'' and add, in its place, a reference to ''§ 26.221.''

§ 26.301 [Amended]

Par. 74. Amend § 26.301 by removing the reference to ''§ 250.273a'' and adding, in its place, a reference to ''§ 26.273a.''

§ 26.302 [Amended]

Par. 75. Amend § 26.302 as follows:

a. In paragraph (a), remove the reference to ''§ 250.204'' and add, in its place, a reference to ''§ 26.204'';

b. In paragraphs (a) and (b), remove the reference to ''§ 250.205'' and add, in its place, a reference to ''§ 26.205''; and

c. In paragraph (b), remove the reference to ''§ 250.301'' and add, in its place, a reference to ''§ 26.301.''

§ 26.303 [Amended]

Par. 76. Amend § 26.303 by removing the reference to ''§ 250.302'' and adding, in its place, a reference to ''§ 26.302.''

§ 26.309 [Amended]

Par. 77. Amend § 26.309 as follows:

a. In paragraph (b)(4) remove the reference to ''§ 250.221'' and add, in its place, a reference to ''§ 26.221''; and

b. In paragraph (c)(2)(viii) remove the reference to ''§ 250.266'' and add, in its place, a reference to ''§ 26.266.''

§ 26.318 [Amended]

Par. 78. Amend § 26.318 by removing the reference to ''§ 250.316'' and adding, in its place, a reference to ''§ 26.316.''

Signed: March 13, 2001.

Bradley A. Buckles,

Director.

Approved: June 11, 2001.

Timothy E. Skud,

Acting Deputy Assistant Secretary, (Regulatory, Tariff and Trade Enforcement).

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DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Parts 535

Amendments to the Iranian Assets Control Regulations

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Interim rule with request for comments; amendments.

SUMMARY: The Office of Foreign Assets Control of the U.S. Department of the Treasury is amending the Iranian Assets Control Regulations, 31 CFR part 535 (the ''IACR''), to conform certain provisions related to custodians of property in which Iran has an interest to rulings of the Iran-U.S. Claims Tribunal.

DATES: Effective date: July 25, 2001.

Comments: Written comments must be received no later than September 24, 2001.

ADDRESSES: Comments should be sent to David W. Mills, Chief, Policy Planning and Program Management Division, rm. 2176 Main Treasury Annex, 1500 Pennsylvania Ave. N.W., Washington, DC 20220 or via OFAC's website (http://www.treas.gov/ofac).

FOR FURTHER INFORMATION CONTACT: Dennis P. Wood, Chief of Compliance Programs, tel.: 202/622–2490, Steven I. Pinter, Acting Chief of Licensing, tel.: 202/622–2480, or Barbara C. Hammerle, Acting Chief Counsel, tel.: 202/622–2410, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220.

SUPPLEMENTARY INFORMATION:

Electronic Availability

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Background

The Office of Foreign Assets Control of the U.S. Department of the Treasury is amending the Iranian Assets Control Regulations, 31 CFR part 535 (the ''IACR''), to conform certain provisions related to custodians of property in which Iran has an interest to rulings of the Iran-U.S. Claims Tribunal (the ''Tribunal''). In its May 1992 partial award in Case A/15, Awd. No. 529–A15–FT, 28 Iran-U.S. Cl. Tr. Rep. 112 (May 6, 1992), the Tribunal found that certain provisions of the IACR were not in strict compliance with commitments made by the U.S. in the Algiers Accords. See, Awd. 529, at ¶ 51, p. 131; See also, Id., at ¶ 53, p. 131.

These amendments are intended to state clearly that obligations or liens on property do not disqualify this property from IACR requirements dictating that this property be returned if that property is otherwise subject to the requirements of the IACR.

Because the Regulations involve a foreign affairs function, the provisions of Executive Order 12866 and the Administrative Procedure Act (5 U.S.C. 553) (the ''APA'') requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. However, because of the importance of the issues raised by these regulations, this rule is issued in interim form and comments will be considered in the development of final regulations. Accordingly, the Department encourages interested persons who wish to comment to do so at the earliest possible time to permit the fullest consideration of their views.

The period for submission of comments will close September 24, 2001. The Department will consider all comments received before the close of the comment period in developing final regulations. Comments received after the end of the comment period will be considered if possible, but their consideration cannot be assured. The Department will not accept public comments accompanied by a request that a part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. The Department will return such comments and materials to the person submitting the comments and materials and will not consider them in the development of final regulations. In the interest of accuracy and completeness, the Department requires comments in written form.

All public comments on these regulations will be a matter of public record. Copies of the public record concerning these regulations will be made available, not sooner than October 23, 2001 and may be obtained from OFAC's website (*http://www.treas.gov/ofac*). If that service is unavailable, written requests for copies may be sent to: Office of Foreign Assets Control, U.S. Department of the Treasury, 1500 Pennsylvania Ave. N.W., Washington, DC 20220, Attn: Merete Evans.

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 and Procedures Regulations''). Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), those collections of information have been previously approved by the Office of Management and Budget (''OMB'') 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 535

Administrative practice and procedure, Banks, Banking, Currency, Foreign claims, Foreign investments in the United States, Iran, Penalties, Reporting and recordkeeping requirements, and Securities.

For reasons set forth in the preamble, 31 CFR part 535 is amended as follows:

PART 535—IRANIAN ASSETS CONTROL REGULATIONS

1. The authority section continues to read as follows:

Authority: 18 U.S.C. 2332d; 31 U.S.C. 321(b); 50 U.S.C. 1701–1706; Pub. L. 101–410, 104 Stat. 890 (28 U.S.C. 2461 note); E.O. 12170, 44 FR 65729, 3 CFR, 1979 Comp., p. 457; E.O. 12205, 45 FR 24099, 3 CFR, 1980 Comp., p. 248; E.O. 12211, 45 FR 26685, 3 CFR, 1980 Comp., p. 253; E.O. 12276, 46 FR 7913, 3 CFR, 1981 Comp., p. 104; E.O. 12279, 46 FR 7919, 3 CFR, 1981 Comp., p. 109; E.O. 12280, 46 FR 7921, 3 CFR, 1981 Comp., p. 110; E.O. 12282, 46 FR 7925, 3 CFR, 1981