

that is substantially transformed in the United States into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed. 48 CFR 25.003. Therefore, the question presented in this final determination is whether, as a result of the operations performed in the United States, the nonwoven cotton fabric is substantially transformed into a product of the United States.

The rules of origin for textile products for purposes of the customs laws and the administration of quantitative restrictions are set forth in 19 U.S.C. 3592. These provisions are implemented in the CBP Regulations at 19 CFR 102.21. The rules set forth in § 3592 apply to textile and apparel products, unless otherwise provided for by statute. The rule of origin in § 2518(4)(B) is a rule of origin otherwise provided for by statute, however, it is a general rule, whereas § 3592 is specific to textile products. Section 3592 has been described as Congress's expression of substantial transformation as it relates to textile products.

The rules of origin in 19 U.S.C. 3592 are implemented in the CBP Regulations in 19 CFR 102.21. The imported product is a nonwoven textile fabric. The finished product, Tegaderm™ Ag Mesh Dressings, is also a textile product as defined by 19 CFR 102.21(b)(5). Tegaderm™ Ag Mesh Dressings are classified in subheading 3005.90, HTSUS, which provides for "Wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in forms or packings for retail sale for medical, surgical, dental or veterinary purposes" other than adhesive dressings and other articles having an adhesive layer.

As the finished dressing is produced by processing in more than one country, its origin cannot be determined by application of § 102.21(c)(1), wholly obtained or produced rule, and resort must be made to § 102.21(c)(2). Section 102.21(c)(2) states that the origin of a good is the country "in which each foreign material incorporated in that good underwent an applicable change in tariff classification, and/or met any other requirement, specified for the good in paragraph (e) of [102.21]." Section 102.21(e) provides in pertinent part:

(1) The following rules will apply for purposes of determining the country of origin of a textile or apparel product under paragraph (c)(2) of this section:

3005.90 If the good contains pharmaceutical substances, a change to

subheading 3005.90 from any other heading;  
\* \* \*

The material of foreign origin in this case is the nonwoven cotton fabric classifiable in heading 5603, HTSUS. The processing in the United States causes the foreign origin material to make a tariff shift from heading 5603 to subheading 3005.90, HTSUS. Therefore, by application of the rules set forth in 19 CFR 102.21, the finished Tegaderm™ Ag Mesh Dressings are products of the United States for purposes of government procurement. **HOLDING:**

Based on the facts and analysis set forth above, the finished Tegaderm™ Ag Mesh Dressings are products of the United States for the purpose of government procurement.

Notice of this final determination will be given in the **Federal Register**, as required by 19 CFR § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days after publication of the **Federal Register** notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,  
Jeremy Baskin  
*Acting Executive Director  
Regulations and Rulings  
Office of International Trade*

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### Notice of Proposed New Information Collection for Donor Certification Form

**AGENCY:** Office of Conservation, Partnerships & Management Policy, Assistant Secretary—Policy, Management and Budget, Interior.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of Conservation, Partnerships & Management Policy announces a proposed public information collection and seeks public comments on the provisions thereof.

**DATES:** Consideration will be given to all comments received by November 25, 2008.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to the Office of Conservation, Partnerships & Management Policy, Beth Duff, 1849 C St., NW., MS 5123 MIB, Washington, DC 20240. Individuals providing comments should reference Donor Certification Form.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instrument, please write to the above address, or call Beth Duff, on 202-208-5904, or e-mail her at [beth\\_duff@ios.doi.gov](mailto:beth_duff@ios.doi.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implement the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies an information collection activity that the Office of Conservation, Partnerships & Management Policy will submit to OMB for approval for the Department and its bureaus to collect information from proposed donors relative to their relationship(s) with the Department. The Department and its individual bureaus all have gift acceptance authority. In support of the variety of donation authorities in the Department and increasing numbers of donations, it is the policy of the Department to ask those proposing to donate gifts valued at \$25,000 or more to provide information regarding their relationship with the Department. The purpose of this policy is to ensure that the acceptance of a gift does not create legal or ethical issues for the Department, its bureaus, or potential donors. The information will be gathered through the use of a new form. If this information were not collected from the prospective donor, the Department would have to collect the information. The information is scattered throughout the Department. With eight major bureaus, 2500 locations and 70,000 employees, it is not possible to collect the information about a particular donor in a timely manner to respond to a proposed donation. Having the donor certify his interactions with the Department gives the staff reviewing the proposed donation basic information.

**II. Method of Collection**

Individuals notifying the Department or one of its bureaus of a proposed offer

of a gift valued at \$25,000 or higher will be asked to submit a form listing several items of basic information.

(1) *Title:* Donor Certification Form.

Information collected	Reason for collection
Name, and indication whether executing in individual capacity, or on behalf of an organization.	To identify the donor, and whether the donor is acting individually or on behalf of an organization.
Declaration whether the donor is involved with litigation or controversy with the Department.	To assist the Department in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Declaration whether the donor is engaged in any financial or business relationship with the Department.	To assist the Department in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Declaration whether the donor has been debarred, excluded or disqualified from the nonprocurement common rule, or otherwise declared ineligible from doing business with any Federal government agency.	To assist the Department in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Declaration as to whether the donation is expected to be involved with marketing or advertising.	To assist the Department in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Declaration whether the donor is seeking to attach conditions to the donation.	To assist the Department in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Declaration whether this proposed donation is or is not part of a series of donations to the Department.	To assist the Department in determining the scope and context of the donation, and to assist in determining whether there are any issues associated with the proffer of the gift that need to be more closely examined.
Signature, Printed Name, Date, Organization, E-mail address, City, State, Zip, and daytime or work phone number.	To establish the contact information of the potential donor, and have the certifier sign the certification form.

**III. Data**

(1) *Title:* Donor Certification Form.  
*OMB Control Number:* 1090-XXXX.  
*Type of Review:* Information  
 Collection: New.  
*Affected Entities:* Individuals or households, Businesses, Not-for-profit institutions, Tribal Governments.  
*Estimated annual number of respondents:* 555.  
*Frequency of response:* Once per prospective donation.  
 (2) *Annual reporting and record keeping burden:*  
*Estimated number of responses annually:* 555.  
*Estimated burden per response:* 20 minutes.  
*Total annual reporting:* 185 hours.  
 (3) *Description of the need and use of the information:* This information will provide Department staff with the basis for beginning the evaluation as to whether the Department will accept the proposed donation. The authorized employee will receive the donor certification form with the proposed donation. The employee will then review the totality of circumstances surrounding the proposed donation to determine whether the Department can accept the donation and maintain its integrity, impartiality, and public confidence.

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;  
 (b) The accuracy of the agency's estimate of the burden of the collection and the validity of the methodology and assumptions used;  
 (c) Ways to enhance the quality, utility, and clarity of the information to be collected; and  
 (d) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other collection techniques or other forms of information technology.  
 Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose or provide information to or for a federal agency. This includes the time needed to review instructions; to develop, acquire, install and utilize technology and systems for the purpose of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; to train personnel and to be able to respond to a collection of information, to search data sources, to complete and review the collection of information; and to transmit or otherwise disclose the information.

The comments, with names and addresses, will be available for public viewing. If you wish us to withhold your personal information, you must prominently state at the beginning of your comment what personal information you want us to withhold. We will honor your request to the extent allowable by law. Comments received, if any, will be available for public viewing by appointment only. You may schedule such an appointment by contacting the Office of Conservation, Partnerships & Management Policy at 1849 C Street, NW., MS 5123 MIB, Washington, DC 20240, or telephone (202) 208-5904 to schedule an appointment to view any comments received. A valid picture identification is required for entry into the Department of the Interior.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget control number.

Dated: September 23, 2008.  
**Beth L. Duff,**  
*Office of Conservation, Partnerships and Management Policy.*  
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**IV. Request for Comments**

The Department of the Interior invites comments on: