

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW., Washington, DC 20503. Attention NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication.

Issued in Washington, DC, on January 24, 2008.

**Kathleen C. DeMeter,**  
Director, Office of Defects Investigation.  
[FR Doc. 08-377 Filed 1-29-08; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF THE TREASURY

### Financial Crimes Enforcement Network; Agency Information Collection Activities; Comment Request of the Proposed Renewal Without Change of the Report of Foreign Bank and Financial Accounts and Other Recordkeeping and Reporting Requirements of the Bank Secrecy Act

**AGENCY:** Financial Crimes Enforcement Network (“FinCEN”), Department of the Treasury.

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

**SUMMARY:** FinCEN, a bureau of the U.S. Department of the Treasury, invites all interested parties to comment on its continuing collection of information requirements in 31 CFR 103.22–103.29, 103.32–103.38, 103.64, 103.81–103.87, and Form TD F 90–22.1, Report of Foreign Bank and Financial Accounts. This request for comments is made pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35).

**DATES:** Written comments should be received on or before March 31, 2008 to be assured of consideration.

**ADDRESSES:** Direct all written comments to: Regulatory Policy and Programs Division, Financial Crimes Enforcement Network, U.S. Department of the

Treasury, P.O. Box 39, Vienna, VA 22183, Attention: PRA Comments—31 CFR part 103. Comments also may be submitted by electronic mail to the following Internet address: “[regcomments@fincen.gov](mailto:regcomments@fincen.gov)” with the caption in the body of the text, “Attention: PRA Comments—31 CFR part 103.”

*Inspection of Comments:* Comments may be inspected, between 10 a.m. and 4 p.m., in the FinCEN reading room in Vienna, VA. Persons wishing to inspect the comments submitted must request an appointment with the Disclosure Officer by telephoning (703) 905–5034 (not a toll-free call).

**FOR FURTHER INFORMATION CONTACT:** Financial Crimes Enforcement Network, Regulatory Policy and Programs Division at (800) 949–2732. A searchable guide to the Code of Federal Regulations can be found on the Internet at: <http://www.access.gpo.gov/nara/cfr>. A copy of Form TD F 90–22.1 may be obtained by calling the above number or accessed on-line at [http://www.fincen.gov/forms/f9022-1\\_fbar.pdf](http://www.fincen.gov/forms/f9022-1_fbar.pdf).

**SUPPLEMENTARY INFORMATION: Abstract:** The information collected and retained under the regulations addressed in this notice and the information collected on Form TD F 90–22.1 (as well as other Bank Secrecy Act reporting and recordkeeping requirements that are not the subject of this notice) assist federal, state and local law enforcement in the identification, investigation, and prosecution of individuals involved in money laundering, the financing of terrorism, tax evasion, narcotics trafficking, organized crime, fraud, embezzlement and other crimes. The information also assists in tax collection and examination and other regulatory matters.<sup>1</sup>

**1. Title:** Reports of transactions in currency (31 CFR 103.22(b)(1), 103.27(a), 103.27(d) and 103.28).

**OMB Number:** 1506–0009.

*Abstract:* Financial institutions must report transactions in currency that exceed \$10,000 (31 CFR 103.22(b)(1)).<sup>2</sup> Before concluding any transaction with respect to which a report must be filed under section 103.22(b)(1), a financial institution must verify and record the name and address of the individual presenting the transaction and must

<sup>1</sup> The information collections addressed in this notice are currently covered by one OMB Control Number—1506–0009. FinCEN intends to ask OMB to assign specific control numbers to the various information collections so that the administration of the information collections will be simpler in the future.

<sup>2</sup> As explained below, 31 CFR 103.22(b)(2) requires casinos (and card clubs) to report these transactions.

record certain information about any person on whose behalf the transaction is conducted (31 CFR 103.28). Records of reports must be maintained for 5 years (31 CFR 103.27(a)).

*Current Action:* There is no change to the existing regulations.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The burden for the reporting requirement in the regulations is reflected in the burden for FinCEN Form 104. The estimated number of respondents is 19,000. The estimated annual number of responses is 15,000,000, with a reporting average of 19 minutes per response and a recordkeeping average of 5 minutes per response. The estimated total for the annual burden hours is 6,000,000.

**2. Title:** Reports of transactions in currency (31 CFR 103.22(b)(2), 103.27(a), 102.27(d), and 103.28).

**OMB Number:** 1506–0009.

*Abstract:* Casinos (and card clubs) must report transactions in currency that exceed \$10,000 in one business day (31 CFR 103.22(b)(2)). Before concluding any transaction with respect to which a report must be filed under section 103.22(b)(1), a casino must verify and record the name and address of the individual presenting the transaction and must record certain information about any person on whose behalf the transaction is conducted (31 CFR 103.28). Records of reports must be maintained for 5 years (31 CFR 103.27(a)).

*Current Action:* There is no change to the existing regulations.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions.

*Burden:* The burden for the reporting requirement in the regulations is reflected in the burden for FinCEN Form 103. The estimated number of respondents is 715. The estimated number of responses is 418,866, with a reporting average of 19 minutes per response and a recordkeeping average of 5 minutes per response. The estimated total for the annual burden hours is 167,546.

**3. Title:** Transactions of exempt person (31 CFR 103.22(d), 103.27(a) and 103.27(d)).

**OMB Number:** 1506–0009.

*Abstract:* Banks and other depository institutions (“banks”) may exempt from reporting under 31 CFR 103.22(b)(1) currency transactions exceeding \$10,000

by certain customers referred to as eligible persons (31 CFR 103.22(d)). Banks exempt these customers by filing a form designating them as exempt persons and maintaining certain records necessary to document the basis for the exemption and compliance with the exemption procedures of section 103.22(d). For two categories of eligible persons—non-listed businesses and payroll customers—the exemption must be renewed every two years by certifying the application of the bank's suspicious activity reporting program to those customers and recording any changes in control of those customers on a newly filed designation form. Records must be maintained for five years.

*Current Action:* There is no change to the existing regulations.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The burden for the reporting requirement in the regulations is reflected in the burden for FinCEN Form 110. The estimated number of respondents is 19,000. The estimated number of responses is 85,000 with a combined reporting and recordkeeping average of 70 minutes per response. The estimated total for annual burden hours is 99,166.

4. *Title:* Reports of transportation of currency or monetary instruments (31 CFR 103.23 and 103.27).

*OMB Number:* 1506–0009.

*Abstract:* A person must file a report with Treasury if the person knowingly transports currency or monetary instruments of more than \$10,000 at one time into or out of the United States, or receives currency or monetary instruments of more than \$10,000 at one time transported into the United States from or through a place outside the United States (31 CFR 103.23 and 103.27).

*Current Action:* There is no change to the existing regulations.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Individuals, businesses or for-profit institutions, and non-profit institutions.

*Burden:* The burden for the reporting requirement in the regulations is reflected in the burden for FinCEN Form 105. The estimated number of responses is 280,000, with a reporting average of 11 minutes per response. The estimated total for the annual burden hours is 51,333.

5. *Title:* Reports of foreign financial accounts (31 CFR 103.24, 103.27(d), 103.32) and Form TD F 90–22.1, Report of Foreign Bank and Financial Accounts.

*OMB Number:* 1506–0009.

*Form Number:* TD F 90–22.1.

*Abstract:* Every person having a financial interest in, or signature authority over, a foreign account over \$10,000 must file a report of the account (31 CFR 103.24, 103.27(d)) and must maintain records that contain the name in which the account is maintained, the number of the account, the name and address of the foreign bank, and the type of account and maximum value of the account (31 CFR 103.32).

*Current Action:* There is no change to the existing regulations or the form.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Individuals, businesses or other for-profit institutions, and non-profit institutions.

*Burden:* The burden for the reporting requirement in the regulations is reflected in the burden for Form TD F 90–22.1. The estimated number of respondents is 205,000. The estimated number of responses is 205,000, with a reporting average of 10 minutes per response and a recordkeeping average of 5 minutes per response. The estimated total annual burden hours are 51,250.

6. *Title:* Reports of transactions with foreign financial agencies (31 CFR 103.25).

*OMB Number:* 1506–0009.

*Abstract:* Treasury may, by regulation, require specified financial institutions to report transactions by persons with designated foreign financial agencies.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The estimated number of respondents per year is 1. The estimated number of responses is 1, with a reporting burden of 1 hour per respondent, for a total annual burden of 1 hour.<sup>3</sup>

7. *Title:* Reports of certain domestic coin and currency transactions (31 CFR 103.26 and 103.33(d)).

*OMB Number:* 1506–0009.

*Abstract:* Upon a finding that additional reporting or recordkeeping is necessary to carry out the purposes, or

<sup>3</sup> Should FinCEN issue regulations under this authority, it will provide a burden estimate specific to those regulations.

prevent the evasion, of the Bank Secrecy Act, Treasury may issue an order requiring financial institutions or groups of financial institutions in certain geographic locations to report certain transactions in prescribed amounts for a limited period of time (31 CFR 103.26). Financial institutions subject to a geographic targeting order must maintain records for such period of time as the order requires but not more than 5 years (31 CFR 103.33(d)).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The estimated number of respondents per year is 3,200. The estimated number of responses is 17,000, with a reporting burden of 19 minutes per response and a recordkeeping burden of 5 minutes per response. The total estimated annual burden is 6,800 hours.<sup>4</sup>

8. *Title:* Purchases of bank checks and drafts, cashier's checks, money orders and traveler's checks (31 CFR 103.29 and 31 CFR 103.38).

*OMB Number:* 1506–0009.

*Abstract:* Financial institutions must maintain records of certain information related to the sale of bank checks and drafts, cashier's checks, money orders, or traveler's checks when the sale involves currency between \$3,000–\$10,000. The records must be maintained for a period of five years and made available to Treasury upon request.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The estimated number of recordkeepers is 60,900. The average burden per recordkeeper is 7.5 hours, for a total estimated annual recordkeeping burden of 456,750 hours.

9. *Title:* Records to be made and retained by financial institutions (31 CFR 103.33 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* Each financial institution must retain an original or copy of records related to extensions of credit in

<sup>4</sup> Although the burden is stated as an annual burden in accordance with the Paperwork Reduction Act, the estimated annual burden is not intended to indicate that there is a geographic targeting order in effect throughout a year or in each year.

excess of \$10,000 (other than those secured by real property), and records related to transfers of funds, currency, other monetary instruments, checks, investment securities, or credit of more than \$10,000 to or from the United States (31 CFR 103.33(a)–(c)). Banks and non-bank financial institutions must also maintain records related to, and include certain information as part of funds transfers or transmittals of funds involving more than \$3,000 (31 CFR 103.33(e)–(f), and 103.33(g)). The required records must be maintained for five years (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* 31 CFR 103.33(a)–(c). The estimated number of recordkeepers is 22,900. The estimated annual recordkeeping burden per recordkeeper is 50 hours, for a total estimated annual recordkeeping burden of 1,145,000 hours.

31 CFR 103.33(e)–(f). The estimated number of recordkeepers is 35,500. The estimated annual recordkeeping burden per recordkeeper is 16 hours, for a total estimated annual recordkeeping burden of 568,000.

31 CFR 103.33(g). The estimated number of recordkeepers is 35,500. The estimated annual recordkeeping burden per recordkeeper is 12 hours, for a total estimated annual recordkeeping burden of 426,000.

10. *Title:* Additional records to be made and retained by banks (31 CFR 103.34 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* A bank must retain an original or copy of certain documents, as specified in section 103.34. The required records must be maintained for five years.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

*Burden:* The estimated number of recordkeepers is 22,900. The estimated annual recordkeeping burden per recordkeeper is 100 hours for a total annual recordkeeping burden of 2,290,000 hours.

11. *Title:* Additional records to be made and retained by brokers or dealers in securities (31 CFR 103.35 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* A broker or dealer in securities must retain an original or copy of certain documents, as specified in section 103.35. The required records must be maintained for five years (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* The estimated number of recordkeepers is 8,300. The estimated annual recordkeeping burden per recordkeeper is 100 hours, for a total estimated annual recordkeeping burden of 83,000 hours.

12. *Title:* Additional records to be made and retained by casinos (31 CFR 103.36 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* Casinos (and card clubs) must make and retain a record of the name, permanent address and taxpayer identification number of each person who deposits funds with the casino, opens an account at the casino, or to whom the casino extends a line of credit (and maintain a list, available to the Secretary upon request, of the names and addresses of persons who do not furnish a taxpayer identification number), and must retain the original or a copy of certain documents, as specified in section 103.36 (31 CFR 103.36(a)&(b)(1)–(8)). Casinos must also maintain a list of transactions with customers involving certain instruments (31 CFR 103.36(b)(9)). Card clubs must maintain records of currency transactions by customers and records of activity at cages (31 CFR 103.36(b)(11)). Casinos that input, store, or retain required records on computer disk, tape or other machine readable media must maintain the records on such media (31 CFR 103.36(c)). Required records must be maintained for five years. (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* 31 CFR 103.36(a)&(b)(1)–(8). The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 100 hours, for a total estimated annual recordkeeping burden of 48,000.

31 CFR 103.36(b)(9). The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 7.5 hours, for a total

estimated annual recordkeeping burden of 3,600 hours.

31 CFR 103.36(b)(11). The estimated number of recordkeepers is 62. The estimated number of transactions is 215,000 annually and the total estimated annual recordkeeping burden is 686 hours.

31 CFR 103.36(c). The estimated number of respondents is 480. The estimated annual recordkeeping burden per recordkeeper is 4 hours, for a total estimated annual recordkeeping burden of 1,920 hours.

13. *Title:* Additional records to be made and retained by currency dealers or exchangers (31 CFR 103.37 and 103.38).

*OMB Number:* 1506–0009.

*Abstract:* A currency dealer or exchanger must make and maintain a record of the taxpayer identification number of certain persons for whom a transaction account is opened or a line of credit is extended, and must maintain a list containing the names, addresses, and account or credit line numbers of those persons from whom it has been unable to secure such information. A currency dealer or exchanger must retain the original or a copy of certain documents, as specified in section 103.37. The required records must be maintained for five years (31 CFR 103.38).

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Business and other for-profit institutions.

*Burden:* The estimated number of recordkeepers is 2,300. The estimated annual recordkeeping burden per recordkeeper is 16 hours, for a total estimated annual recordkeeping burden of 368,000 hours.

14. *Title:* Nature of records and retention period (31 CFR 103.38).

*OMB Number:* 1506–0009.

*Abstract:* Records required to be retained by a financial institution under 31 CFR part 103 must be retained for 5 years, except for records or reports required under section 103.26 which shall be retained for the period of time specified in the targeting order imposing the recordkeeping or reporting requirement to which the particular retention period relates.

*Current Action:* There is no change to the existing regulation.

*Type of Review:* Extension of a currently approved information collection.

*Affected Public:* Businesses or for-profit institutions, and non-profit institutions.

**Burden:** The burden for this regulation is reflected in the reporting and recordkeeping provisions of 31 CFR part 103.

**15. Title:** Special rules for casinos (31 CFR 103.64, 103.36(b)(10), and 103.38).

**OMB Number:** 1506–0009.

**Abstract:** This section provides special rules for casinos, including the requirement that casinos maintain a written compliance program.

**Current Action:** There is no change to the existing regulation.

**Type of Review:** Extension of a currently approved information collection.

**Affected Public:** Business and other for-profit institutions.

**Burden:** The estimated number of recordkeepers is 480. The estimated annual recordkeeping burden per recordkeeper is 100, for a total estimated annual recordkeeping burden of 48,000 hours.

**16. Title:** Administrative rulings (31 CFR 103.81–87).

**OMB Number:** 1506–0009.

**Abstract:** These sections address administrative rulings under the Bank Secrecy Act. They explain how to submit a ruling request (103.81), how non-conforming requests are handled (103.82), how oral communications are treated (103.83), how rulings are issued (103.85), how rulings are modified or rescinded (103.86), and how information in connection with a ruling may be disclosed (103.87).

**Current Action:** There is no change to the existing regulation.

**Type of Review:** Extension of a currently approved information collection.

**Affected Public:** Individuals, businesses or for-profit institutions, and non-profit institutions.

**Burden:** The estimated number of responses is 60 annually, with a burden of 1 hour per submission, for a total annual burden of 60 hours.

The following paragraph applies to all the collections of information addressed in this notice: 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 OMB control number. Records required to be retained under the Bank Secrecy Act must be retained for five years.

Generally, information collected pursuant to the Bank Secrecy Act is confidential, but may be shared as provided by law with regulatory and law enforcement authorities.

**Request for Comments:** Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All

comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance and purchase of services to provide information.

Dated: January 22, 2008.

**James H. Freis, Jr.,**

*Director, Financial Crimes Enforcement Network.*

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relationship with China. The February 27 hearing is being conducted to obtain testimony on China's views of sovereignty, arguments given for its views, how they differ from U.S. views of sovereignty, and the security implications that follow from these differences. Chinese internal ministerial differences on issues of sovereignty, as well as the ways in which China might use sovereignty claims to expand its territory and its influence through military and non-military means will also be examined. Other topics covered will include China's growing naval presence and ways that China may be influencing the development of international sovereignty laws and norms in space and cyberspace.

The February 27 hearing will address "China's Views of Sovereignty and Methods of Access Control," and will be Co-chaired by Commissioners Mark Esper and Jeffrey Fiedler.

Information on hearings, as well as transcripts of past Commission hearings, can be obtained from the USCC Web Site <http://www.uscc.gov>.

Copies of the hearing agenda will be made available on the Commission's Web Site <http://www.uscc.gov> as soon as available. Any interested party may file a written statement by February 27, 2007, by mailing to the contact below. On February 27, the hearing will be held in two sessions, one in the morning and one in the afternoon. There will be a question and answer period between the Commissioners and the witnesses.

**DATE AND TIME:** Wednesday, February 27, 2008, 8:30 a.m. to 5 p.m. Eastern Standard Time. A detailed agenda for the hearing will be posted to the Commission's Web Site at <http://www.uscc.gov> in the near future.

**ADDRESSES:** The hearing will be held on Capitol Hill in Room 562 Dirksen Senate Office Building located at First Street and Constitution Avenue, NE., Washington, DC 20510. Public seating is limited to about 50 people on a first come, first served basis. Advance reservations are not required.

**FOR FURTHER INFORMATION CONTACT:** Any member of the public wishing further information concerning the hearing should contact Kathy Michels, Associate Director for the U.S.-China Economic and Security Review Commission, 444 North Capitol Street, NW., Suite 602, Washington DC 20001; phone: 202–624–1409, or via e-mail at [kmichels@uscc.gov](mailto:kmichels@uscc.gov).

**Authority:** Congress created the U.S.-China Economic and Security Review Commission in 2000 in the National Defense Authorization Act (Pub. L. 106–398), as amended by Division P of the Consolidated

## U.S.-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

### Notice of Open Public Hearing

**AGENCY:** U.S.-China Economic and Security Review Commission.

**ACTION:** Notice of open public hearing—February 27, 2008, Washington, DC.

**SUMMARY:** Notice is hereby given of the following hearing of the U.S.-China Economic and Security Review Commission.

**Name:** Larry Wortzel, Chairman of the U.S.-China Economic and Security Review Commission.

The Commission is mandated by Congress to investigate, assess, evaluate and report to Congress annually on "the national security implications and impact of the bilateral trade and economic relationship between the United States and the People's Republic of China."

Pursuant to this mandate, the Commission will hold a public hearing in Washington, DC on February 27, 2008 to address "China's Views of Sovereignty and Methods of Access Control."

### Background

This event is the second in a series of public hearings the Commission will hold during its 2008 report cycle to collect input from leading academic, industry, and government experts on the impact of the economic and national security implications of the U.S. bilateral trade and economic