

specifically, compounds derived from Formula I, wherein B is NR⁴ and wherein R⁴ is not CH₃ (methyl group) to treat psychiatric and neurological disorders.

DATES: Only written comments and/or applications for a license which are received by the NIH Office of Technology Transfer on or before November 25, 2008 will be considered.

ADDRESSES: Requests for copies of the patent application, inquiries, comments, and other materials relating to the contemplated exclusive license should be directed to: Charlene A. Sydnor, Ph.D., Technology Licensing Specialist, Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852-3804; Telephone: (301) 435-4689; Facsimile: (301) 402-0220; e-mail: sydnorc@mail.nih.gov.

SUPPLEMENTARY INFORMATION: This technology relates to the synthesis of novel dopamine transport inhibitors and their use to treat mental disorders. The inventors developed benzotropinamine analogs by replacing the benzhydrylether moiety of benztropine and its analogs with the isosteric benzhydrylamine system in order to produce more stable compounds with increased solubility and bioavailability for improved therapeutic formulation and utility. These compounds have a high affinity for the dopamine transporter and inhibit dopamine uptake, but do not produce a significant stimulation of locomotor activity or cocaine-like subjective effects in a drug discrimination model. These compounds are useful for the treatment of mental disorders such as conduct disorders, alcohol addiction, tobacco addiction, nicotine addiction, drug addiction, sleep disorders, inhalation disorders, Parkinsonism including Parkinson's disease, female and male orgasmic disorders, female and male sexual arousal disorders, hypoactive sexual desire disorders, and anxiety and/or depression disorders. These compounds are also useful as imaging probes for detecting cocaine binding sites, as well as monitoring or diagnosing Parkinson's disease.

The prospective exclusive license will be royalty bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR Part 404.7. The prospective exclusive license may be granted unless within sixty (60) days from the date of this published notice, the NIH receives written evidence and argument that establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR Part 404.7.

Applications for a license in the field of use filed in response to this notice will be treated as objections to the grant of the contemplated exclusive license. Comments and objections submitted to this notice will not be made available for public inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act, 5 U.S.C. 552.

Dated: September 17, 2008.

Richard U. Rodriguez,
Director, Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. E8-22611 Filed 9-25-08; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2008-0102]

National Protection and Programs Directorate; Designation of the Sector-Specific Agency for the Critical Manufacturing Sector and Resulting Changes in the National Infrastructure Protection Plan

AGENCY: National Protection and Programs Directorate, Office of Infrastructure Protection, DHS.

ACTION: Notice of Sector Specific Agency designation for Critical Manufacturing.

SUMMARY: This notice informs the public that the Secretary, Department of Homeland Security (DHS), has designated the DHS Office of Infrastructure Protection (IP) as the Sector-Specific Agency (SSA) for the Critical Manufacturing Sector under the National Infrastructure Protection Plan (NIPP). IP will now move forward with the organization and coordination processes identified in the NIPP for establishing a new critical infrastructure and key resources (CIKR) sector. These initial steps will include establishing Government and Sector Coordinating Councils, which will begin the process of full integration into the CIKR Sector Partnership, implementation of the NIPP Risk Management Framework and development of the Critical Manufacturing Sector Specific Plan.

This designation also includes language changes to the NIPP identifying the new sector, which will take affect immediately and remain in effect until the NIPP is rewritten and published in 2009. These changes will include adding the Critical Manufacturing sector and its SSA to those sections of the NIPP where sectors and their SSAs are listed, referenced, or

described, and amending the last sentence of the definition of "Sector" in the Glossary to read, "The NIPP addresses the 17 CIKR sectors enumerated in HSPD-7 and any additional sectors created by the Secretary of Homeland Security pursuant to HSPD-7."

FOR FURTHER INFORMATION CONTACT:

Larry L. May, Deputy Director, NIPP Program Office, Partnership and Outreach Division, Office of Infrastructure Protection, National Protection and Programs Directorate, Department of Homeland Security, Washington, DC 20528, 703-235-3648 or NIPP@dhs.gov.

Dated: September 17, 2008.

R. James Caverly,

Director, Partnership and Outreach Division, Office of Infrastructure Protection, Department of Homeland Security.

[FR Doc. E8-22609 Filed 9-25-08; 8:45 am]

BILLING CODE 4410-10-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Certain Mesh Dressing

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection ("CBP") has issued a final determination concerning the country of origin of certain mesh dressing known as Tegaderm™ Ag Mesh Dressing. Based upon the facts presented, CBP has concluded in the final determination that the United States is the country of origin of the Tegaderm™ Ag Mesh Dressing for purposes of U.S. Government procurement.

DATES: The final determination was issued on September 22, 2008. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within October 27, 2008.

FOR FURTHER INFORMATION CONTACT:

Cynthia Reese, Valuation and Special Programs Branch, Regulations and Rulings, Office of International Trade (202-572-8812).

SUPPLEMENTARY INFORMATION: Notice is hereby given that on September 22, 2008, pursuant to subpart B of part 177, Customs and Border Protection (CBP)

Regulations (19 CFR Part 177, Subpart B), CBP issued a final determination concerning the country of origin of Tegaderm™ Ag Mesh Dressing which may be offered to the United States Government under an undesignated government procurement contract. This final determination, in HQ H035776, was issued at the request of 3M Company under procedures set forth at 19 CFR Part 177, Subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, CBP has concluded that, based upon the facts presented, Tegaderm™ Ag Mesh Dressing which is produced in the United States from foreign nonwoven cotton fabric is a product of the United States for purposes of U.S. Government procurement.

Section 177.29, CBP Regulations (19 CFR 177.29), provides that notice of final determinations shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

Dated: September 22, 2008.

Jeremy Baskin,

Acting Executive Director, Regulations and Rulings, Office of International Trade.

HQ H035776

September 22, 2008

VAL-2 OT:RR:CTF:VS H035776 CMR

CATEGORY: Marking

TARIFF NO.: 3005.90

Mr. Matthew Fuller, Trade Compliance Department, 3M Company 3M Center, Building 225-4S-18, St. Paul, MN 55144-1000

RE: Origin determination of Tegaderm™ Ag Mesh Dressing for purposes of Government Procurement

Dear Mr. Fuller: This ruling is in response to your request of August 6, 2008, for a determination as to the country of origin of Tegaderm™ Ag Mesh Dressing which is sold by 3M. You indicate that 3M is the importer of record of the nonwoven cotton fiber fabric used in the production of Tegaderm™ Ag Mesh Dressing and, as such, has standing to request this ruling pursuant to 19 CFR 177.23(a) and § 177.24.

FACTS:

3M imports nonwoven cotton fiber fabric which is produced by and

purchased from suppliers outside the United States. At the time of importation, the nonwoven cotton fabric is in large (Jumbo) rolls and has no finishing on it. It is classifiable as a nonwoven fabric of heading 5603 of the Harmonized Tariff Schedule of the United States (HTSUS).¹

After importation, the nonwoven cotton fabric is processed so as to be impregnated with silver sulfate which is manufactured in the United States. The impregnated fabric is then slit to desired widths, cut to size (length), and packaged into pouches which are then sealed. The pouches are labeled, packed into cases, and then sent for sterilization. The finished Tegaderm™ Ag Mesh Dressings are then ready for retail sale in the United States or for export.

The silver sulfate with which the nonwoven fabric is impregnated is the “active ingredient” in the product. It is the silver sulfate which causes wounds to heal quicker. On its web site, 3M claims with regard to this product: “Silver sulfate releases as silver ions in the dressing creates an effective antimicrobial barrier for up to 7 days.” It is further claimed that these silver ions reduce the number of bacteria and yeast.

You assert that the finished dressings are products of the United States under application of the rules of origin for textile and apparel products set forth in the Customs and Border Protection (CBP) regulations at 19 CFR 102.21 (implementing 19 U.S.C. 3592). In the alternative, you assert that the finished dressings are products of the United States under the traditional substantial transformation test set forth in 19 U.S.C. 2518.² The CBP regulations implementing 19 U.S.C. 2515(b)(1), which provides that the Secretary of the Treasury shall issue advisory rulings and final determinations on the origin of an article under the provisions of 19 U.S.C. 2511 through 2518, are found at 19 CFR 177.21 through 177.31. 19 U.S.C. 2511 through 2518 implement Title III of the Trade Agreements Act of 1979, as amended, which effectuated

¹ Heading 5603, HTSUS, provides for “Nonwovens, whether or not impregnated, coated, covered or laminated.” We note that you indicate a belief that the nonwoven cotton fabric which is imported by 3M is classifiable in subheading 5603.12, HTSUS, however, that provision provides for nonwovens of man-made filaments. The correct subheading is 5603.92.00, HTSUS, which provides for nonwovens of other than man-made filaments, weighing more than 25 g/m² but not more than 70 g/m².

² 19 U.S.C. 2518(4)(B) defines the rule of origin for purposes of Government Procurement.

U.S. obligations under the Agreement on Government Procurement.³
ISSUE:

What is the country of origin of the finished Tegaderm™ Ag Mesh Dressings for purposes of U.S. Government procurement?

LAW AND ANALYSIS:

Pursuant to Subpart B of Part 177, 19 CFR 177.21 *et seq.*, which implements Title III, Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–2518), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purpose of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

Initially, we note that 3M is permitted to request this ruling as it is the importer of record and thus meets the requirements of 19 CFR 177.23(a) and 177.24. In addition, 3M meets the definition of a party-at-interest as defined at 19 CFR 177.22(d) and is entitled to a final determination as to the country of origin of the finished Tegaderm™ Ag Mesh Dressings produced from imported nonwoven cotton fabric.

The rule of origin set forth in 19 U.S.C. 2518(4)(B) states:

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed 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 so transformed.

See also 19 CFR 177.22(a) defining “country of origin” in identical terms.

In rendering advisory rulings and final determinations for purposes of U.S. Government procurement, CBP applies the provisions of Subpart B of Part 177 consistent with the Federal Procurement Regulations. See 19 CFR 177.21. In this regard, CBP recognizes that the Federal Procurement Regulations restrict the U.S. Government’s purchase of products to U.S.-made or designated country end products for acquisitions subject to the TAA. See 48 CFR 25.403(c)(1). The Federal Procurement Regulations define “U.S.-made end product” as: * * * an article that is mined, produced, or manufactured in the United States or

³ See Title III, Trade Agreements Act of 1979, as amended, and the Agreement on Government Procurement, General Agreement on Tariffs and Trade, 12 April 1979, Geneva (GATT 1979).

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*

[FR Doc. E8-22683 Filed 9-25-08; 8:45 am]

BILLING CODE 9111-14-P

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.

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.