

highways that encircle the St. Louis area will enable CBP to more efficiently utilize its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public. The port of entry description of St. Louis, Missouri, will be revised as proposed in the NPRM.

### III. Port Description of St. Louis, Missouri

The port limits of St. Louis, Missouri, are as follows: Beginning at the point where Federal Interstate Highway 270 crosses the Mississippi River; thence west, southwest, south and southeast, along Federal Interstate Highway 270 to the point where it becomes Federal Interstate Highway 255; thence southeast on Federal Interstate Highway 255 across the Mississippi River; thence north and east to the point where Federal Interstate Highway 255 intersects with Federal Interstate Highway 270; thence west along Federal Interstate Highway 270 to the Mississippi River, the point of beginning.

### IV. Authority

This change is made under the authority of 5 U.S.C. 301; 19 U.S.C. 2, 66, and 1624; and 6 U.S.C. 203.

### V. Statutory and Regulatory Reviews

#### A. Executive Order 12866: Regulatory Planning and Review

This rule is not considered to be an economically significant regulatory action under Executive Order 12866, because it will not result in the expenditure of over \$100 million in any one year. The change is intended to expand the geographical boundaries of the Port of St. Louis, Missouri, and make it more easily identifiable to the public. There are no new costs to the public associated with this rule. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

#### B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires Federal agencies to examine the impact a rule would have on small entities. A small entity may be a small business (defined as any independently owned and operated business not dominant in its field that qualifies as a small business per the Small Business Act), a small not-for-profit organization, or a small governmental jurisdiction (locality with fewer than 50,000 people).

This rule does not directly regulate small entities. The change is part of CBP's continuing program to more

efficiently utilize its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public. To the extent that all entities are able to more efficiently or conveniently access the facilities and resources within the expanded geographical area of the new port limits, this rule should confer benefits to CBP, carriers, importers, and the general public.

Because this rule does not directly regulate small entities, CBP certifies that this rule does not have a significant economic impact on a substantial number of small entities.

### VI. Signing Authority

The signing authority for this document falls under 19 CFR 0.2(a), because the port extension is not within the bounds of those regulations for which the Secretary of the Treasury has retained sole authority. Accordingly, this final rule may be signed by the Secretary of Homeland Security (or his or her delegate).

#### List of Subjects in 19 CFR Part 101

Customs duties and inspection, Customs ports of entry, Exports, Imports, Organization and functions (Government agencies).

#### Amendments to CBP Regulations

■ For the reasons set forth above, part 101, CBP Regulations (19 CFR part 101) are amended as set forth below.

#### PART 101—GENERAL PROVISIONS

■ 1. The general authority citation for part 101 and the specific authority citation for section 101.3 continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

\* \* \* \* \*

■ 2. In the list of ports in section 101.3(b)(1), under the State of Missouri, the "Limits of port" column adjacent to "St. Louis" in the "Ports of entry" column is amended by removing the language "Including territory described in T.D.s 67-57 and 69-224" and adding in its place "CBP Dec. 09-16."

Dated: May 13, 2009.

**Janet Napolitano,**  
Secretary.

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## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### 31 CFR Part 596

#### Terrorism List Governments Sanctions Regulations

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

**ACTION:** Final rule.

**SUMMARY:** The Office of Foreign Assets Control of the U.S. Department of the Treasury ("OFAC") is amending the Terrorism List Governments Sanctions Regulations so that the schedule to which a prohibition section refers lists those countries that are currently designated as supporting international terrorism, instead of the countries that were designated as of the effective date of these regulations. This amendment also removes Iraq, Libya, and North Korea from the schedule, because these countries are no longer designated as state sponsors of terrorism.

**DATES:** *Effective Date:* May 18, 2009.

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

#### SUPPLEMENTARY INFORMATION:

#### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/ofac>) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

#### Background

Section 321 of the Antiterrorism and Effective Death Penalty Act of 1996, 18 U.S.C. 2332d (the "Act"), makes it a criminal offense for United States persons, except as provided in regulations issued by the Secretary of the Treasury in consultation with the Secretary of State, to engage in financial transactions with the governments of countries designated under section 6(j) of the Export Administration Act of 1979, 50 U.S.C. App. 2405(j) (the "EAA"), as supporting international terrorism. To implement section 321 of the Act, OFAC promulgated the Terrorism List Governments Sanctions Regulations, 31 CFR part 596 (the

“Regulations”), effective August 22, 1996. 61 FR 43462 (Aug. 23, 1996).

Section 596.201 of the Regulations provides that, except as authorized by regulations, orders, directives, licenses, or otherwise, no United States person, knowing or having reasonable cause to know that a country is designated under section 6(j) of the EAA as a country supporting international terrorism, shall engage in a financial transaction with the government of such country. A schedule following section 596.201 listed those countries that were designated under section 6(j) as of the effective date of the Regulations (*i.e.*, as of August 22, 1996). Since that date, the Secretary of State has issued Public Notices rescinding the designations of Iraq [69 FR 61702 (Oct. 20, 2004)], Libya [71 FR 39696 (July 13, 2006)], and North Korea [73 FR 63540 (Oct. 24, 2008)]. Accordingly, OFAC is amending section 596.201 of the Regulations so that the schedule that follows in new paragraph (b) of this section lists countries that are designated under section 6(j) as supporting international terrorism as of May 18, 2009. The schedule itself is being updated by the removal of Iraq, Libya, and North Korea, which are no longer so designated.

#### Public Participation

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

#### Paperwork Reduction Act

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

#### List of Subjects in 31 CFR Part 596

Administrative practice and procedure, Banking and finance, Cuba, Fines and penalties, Iran, Reporting and recordkeeping requirements, Syria, Sudan, Terrorism, Transfer of assets.

■ For the reasons set forth in the preamble, the Office of Foreign Assets Control amends 31 CFR part 596 as follows:

#### PART 596—TERRORISM LIST GOVERNMENTS SANCTIONS REGULATIONS

■ 1. The authority citation for part 596 continues to read as follows:

**Authority:** 18 U.S.C. 2332d; 31 U.S.C. 321(b).

#### Subpart B—Prohibitions

■ 2. Revise § 596.201 to read as follows:

##### § 596.201 Prohibited financial transactions.

(a) Except as authorized by regulations, orders, directives, rulings, instructions, licenses, or otherwise, no United States person, on or after the effective date, knowing or having reasonable cause to know that a country is designated under section 6(j) of the Export Administration Act, 50 U.S.C. App. 2405, as a country supporting international terrorism, shall engage in a financial transaction with the government of that country.

(b) Countries designated under section 6(j) of the Export Administration Act as of May 18, 2009 are listed in the following schedule.

#### Schedule

Cuba.  
Iran.  
Sudan.  
Syria.

Dated: May 7, 2009.

**Barbara C. Hammerle,**

*Acting Director, Office of Foreign Assets Control.*

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**BILLING CODE 4811–45–P**

#### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG 2009–0328]

#### Safety Zone; Fourth of July Fireworks, City of Sausalito, Sausalito, CA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce the Fourth of July Fireworks, City of Sausalito, safety zone from 9 a.m. through 9:30 p.m. on July 4, 2009, in

position 37°51'31" N, 122°28'28" W. This action is necessary to control vessel traffic and to ensure the safety of event participants and spectators. During the enforcement period, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone, unless authorized by the Patrol Commander (PATCOM).

**DATES:** The regulations in 33 CFR 165.1191 will be enforced from 9 a.m. through 9:30 p.m. on July 4, 2009.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call or e-mail Lieutenant Junior Grade Simone Mausz, Sector San Francisco Waterways Safety Division, U.S. Coast Guard; telephone 415–399–7442, e-mail [simone.mausz@uscg.mil](mailto:simone.mausz@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

The Coast Guard will enforce the safety zone for the annual Fourth of July Fireworks, City of Sausalito, safety zone in 33 CFR 165.1191 on July 4, 2009, from 9 a.m. through 9:30 p.m. During the fireworks display, scheduled to start at approximately 9:15 p.m., the fireworks barge will be located approximately 1,000 feet off-shore from Sausalito waterfront, North of Spinnaker Restaurant in the Richardson Bay in position 37°51'31" N, 122°28'28" W.

Under the provisions of 33 CFR 165.1191, unauthorized persons or vessels are prohibited from entering into, transiting through, or anchoring in the safety zone during all applicable effective dates and times, unless authorized to do so by the PATCOM. Additionally, each person who receives notice of a lawful order or direction issued by an official patrol vessel shall obey the order of direction. The PATCOM is empowered to forbid and control the regulated area. The PATCOM shall be designated by the Commander, Coast Guard Sector San Francisco. The PATCOM may, upon request, allow the transit of commercial vessels through regulated areas when it is safe to do so.

This notice is issued under authority of 33 CFR 165.1191 and 5 U.S.C. 552(a). In addition to this notice in the **Federal Register**, the Coast Guard will provide the maritime community with extensive advance notification of this enforcement period via the Local Notice to Mariners.

If the Captain of the Port determines that the regulated area need not be enforced for the full duration stated in this notice, he or she may use a Broadcast Notice to Mariners to grant general permission to enter the regulated area.