

nongovernmental organizations should be submitted to OFAC as described in section 575.527. Section 575.528 authorizes, by general license, more limited survey or assessment missions in Iraq (including those areas controlled by the Government of Iraq).

Sections 575.329 and 575.330 provide definitions of the terms "areas of Iraq not controlled by the Government of Iraq," "humanitarian activities," "humanitarian purposes," and "humanitarian support."

Section 560.536 provides that nongovernmental organizations authorized by specific license or under the new provisions of the Iraqi Sanctions Regulations may conduct certain activities in Iran that are directly incidental to their authorized humanitarian activities in Iraq. Section 560.537 authorizes such organizations to conduct limited survey or assessment missions in Iran pertaining to the planning of or preparation for the provision of humanitarian support to the Iraqi people.

Where relevant, each of the regulatory changes referenced above indicates that, with limited exceptions, exportations and re-exportations to Iraq and Iran remain proscribed. To the extent that nongovernmental organizations seek specific authorization from OFAC for the exportation or re-exportation of any item to Iraq or Iran, they are advised to ascertain the Export Control Classification Number assigned to the item by the Department of Commerce's Bureau of Industry and Security prior to submitting their request to OFAC.

Request for Comments

Because amendment of these regulations involves 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 addressed in these regulations, this rule is being 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. Comments may address the impact of the Regulations on the submitter's activities, whether of a commercial, non-commercial or humanitarian nature, as well as changes that would improve the clarity and organization of the Regulations.

The period for submission of comments will close May 12, 2003. The address for submitting comments appears near the beginning of this notice. 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 submission be treated confidentially because of its business proprietary nature or for any other reason. The Department will return such a submission to the originator without considering the comments 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 June 10, 2003 and will be obtainable from OFAC's Web site <<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, NW., Washington, DC 20220, Attn: Chief, Records Division.

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Paperwork Reduction Act

The collections of information related to these regulations can be found in 31 CFR part 501. 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 under control number 1505-0164.

List of Subjects

31 CFR Part 560

Administrative practice and procedure, Agricultural commodities, Banks, Banking, Drugs, Exports, Foods, Foreign trade, Imports, Information, Investments, Iran, Iraq, Loans, Medical devices, Medicine, Penalties, Reporting and recordkeeping requirements, Services, Specially designated nationals, Terrorism, Transportation.

31 CFR Part 575

Administrative practice and procedure, Banks, banking, Blocking of assets, Exports, Foreign trade, Humanitarian aid, Imports, Iran, Iraq, Oil imports, Penalties, Petroleum, Petroleum products, Reporting and recordkeeping requirements, Specially designated nationals, Terrorism, Travel restrictions.

For the reasons stated in the preamble, 31 CFR chapter V, parts 560 and 575, are amended as set forth below:

PART 560—IRANIAN TRANSACTIONS REGULATIONS

1. The authority citation for Part 560 continues to read as follows:

Authority: 3 U.S.C. 301; 18 U.S.C. 2339B, 2332d, 22 U.S.C., 2349aa-9, 31 U.S.C. 321(b); 50 U.S.C. 1601-1651, 1701-1706; Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 106-387, 114 Stat 1549; E.O. 12613, 52 FR 41940, 3 CFR, 1987 Comp., p. 256; E.O. 12957, 60 FR 14615, 3 CFR, 1995 Comp., p. 332, E.O. 12959, 60 FR 24757, 3 CFR, 1995 Comp., p. 356, E.O. 13059, 62 FR 44531; 3 CFR, 1997 Comp., p. 217.

Subpart E—Licenses, Authorizations, and Statements of Licencing Policy

2. Add a new § 560.536 to subpart E to read as follows:

§ 560.536 Humanitarian activities in and around Iraq.

(a) A nongovernmental organization specifically licensed pursuant to 31 CFR part 575 or otherwise authorized pursuant to 31 CFR 575.527 to conduct certain humanitarian activities in and around Iraq is authorized to conduct activities in Iran that are directly incidental and essential to its authorized humanitarian activities in and around Iraq, subject to all conditions and restrictions imposed on the organization pursuant to 31 CFR 575.527 and the terms of its license or registration. This section does not authorize the actual provision of humanitarian support in Iran.

(b) No exportations or re-exportations of goods or technology, whether U.S. or