

From		To	MEA	MAA
§ 95.3000 Low Altitude RNAV Routes				
§ 95.3227 RNAV Route T227 Is Amended To Read in Part				
Fairbanks, AK VORTAC .....	Pesge, AK FIX .....	5500	17500	
Pesge, AK FIX .....	Fipsu, AK FIX .....	8400	17500	
Fipsu, AK FIX .....	Cugob, AK FIX .....	11000	17500	
*7000—MCA CUGOB, AK FIX, S BND				
Cugob, AK FIX .....	Siklv, AK FIX .....	4500	17500	
Siklv, AK FIX .....	Deadhorse, AK VOR/DME .....	2200	17500	
From		To	MEA	
§ 95.6001 Victor Routes—U.S.				
§ 95.6016 VOR Federal Airway V16 Is Amended To Read in Part				
Flat Rock, VA VORTAC .....		Richmond, VA VORTAC .....		2600
§ 95.6051 VOR Federal Airway V51 Is Amended To Read in Part				
#Alma, GA VORTAC .....		#Dublin, GA VORTAC .....		*3000
*1700—MOCA				
*2000—GNSS MEA				
#Alma R-345 Unusable, USE Dublin R-170.				
§ 95.6104 VOR Federal Airway V104 Is Amended To Read in Part				
Berlin, NH VOR/DME .....		Anslyn, ME FIX .....		6500
Anslyn, ME FIX .....		Bangor, ME VORTAC .....		4000
§ 95.6195 VOR Federal Airway V195 Is Amended To Read in Part				
Williams, CA VORTAC .....		Red Bluff, CA VORTAC .....		*3000
*1700—MOCA				
§ 95.6212 VOR Federal Airway V212 Is Amended To Read in Part				
Navasota, TX VORTAC .....		Oscer, TX FIX .....		3000
Oscer, TX FIX .....		Lufkin, TX VORTAC .....		*4000
*1900—MOCA				
§ 95.6260 VOR Federal Airway V260 Is Amended To Read in Part				
Flat Rock, VA VORTAC .....		Richmond, VA VORTAC .....		2600
§ 95.6483 VOR Federal Airway V483 Is Amended To Read in Part				
Syracuse, NY VORTAC .....		*Lysan, NY FIX .....		2300
*3000—MRA				
§ 95.6626 VOR Federal Airway V626 Is Amended To Read in Part				
Myton, UT VORTAC .....		Ymont, UT FIX .....		*15000
*12600—MOCA				
*12600—GNSS MEA				
Airway segment			Changeover points	
From	To	Distance	From	
§ 95.8003 VOR Federal Airway Changeover Points				
Jacks Creek, TN VOR/DME .....	Shelbyville, TN VOR/DME .....	50	Jacks Creek	

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## DEPARTMENT OF THE TREASURY

## Office of Foreign Assets Control

## 31 CFR Part 515

## Cuban Assets Control Regulations

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule.

**SUMMARY:** The Department of the Treasury's Office of Foreign Assets Control ("OFAC") is amending the Cuban Assets Control Regulations to implement a provision of the Omnibus Appropriations Act, 2010, containing an interpretation of the term "payment of cash in advance," which is used to

describe one of the two payment or financing terms for authorized exports from the United States to Cuba pursuant to the Trade Sanctions Reform and Export Enhancement Act of 2000.

**DATES:** *Effective Date:* March 9, 2010.

**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 (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 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)) ("TSRA") specifies that the only payment or financing terms U.S. persons may provide for authorized sales of agricultural commodities or products to Cuba or any person in Cuba are (1) "payment of cash in advance," or (2) financing by third-country financial institutions (excluding U.S. persons or Government of Cuba entities). On February 22, 2005, OFAC amended section 515.533 of the Cuban Assets Control Regulations, 31 CFR part 515 (the "CACR"), to clarify that the term "payment of cash in advance" means that payment is received by the seller or the seller's agent prior to shipment of the goods from the port at which they are loaded.

OFAC is further amending section 515.533 of the CACR to implement Section 619 of the Omnibus Appropriations Act, 2010 (Pub. L. 111-117, 123 Stat. 3034), which directs that during Fiscal Year 2010, for the purposes of TSRA, "the term 'payment of cash in advance' shall be interpreted as payment before the transfer of title to, and control of, the exported items to the Cuban purchaser."

**Public Participation**

Because the amendments of the CACR involve a foreign affairs function, Executive Order 12866 and the provisions of 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 CACR are contained in the Reporting, Procedures and Penalties Regulations, 31 CFR part 501. 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 515**

Banks, Banking, Cuba, Currency, Exports, Foreign trade.

■ For the reasons set forth in the preamble, the Department of the Treasury's Office of Foreign Assets Control amends 31 CFR part 515 as set forth below:

**PART 515—CUBAN ASSETS CONTROL REGULATIONS**

■ 1. The authority citation for part 515 is revised to read as follows:

**Authority:** 18 U.S.C. 2332d; 22 U.S.C. 2370(a), 6001-6010; 22 U.S.C. 7201-7211; 31 U.S.C. 321(b); 50 U.S.C. App 1-44; Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104-114, 110 Stat. 785 (22 U.S.C. 6082); Pub. L. 105-277, 112 Stat. 2681; Pub. L. 111-8, 123 Stat. 524; Pub. L. 111-117, 123 Stat. 3034; E.O. 9193, 7 FR 5205, 3 CFR, 1938-1943 Comp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR, 1943-1948 Comp., p. 748; Proc. 3447, 27 FR 1085, 3 CFR, 1959-1963 Comp., p. 157; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 614.

**Subpart E—Licenses, Authorizations, and Statements of Licensing Policy**

■ 2. Amend § 515.533 by revising paragraph (a)(2)(i) to read as follows:

**§ 515.533 Transactions incident to exports from the United States and reexports of 100% U.S.-origin items to Cuba; negotiation of executory contracts.**

- (a) \* \* \*
- (2) \* \* \*

(i)(A) *Payment of cash in advance.*

Except as provided in paragraph (a)(2)(i)(B) of this section, for the purposes of this section, the term "payment of cash in advance" means that payment is received by the seller or the seller's agent prior to shipment of

the goods from the port at which they are loaded;

(B) *Payment of cash in advance during Fiscal Year 2010.* For sales of agricultural items delivered to Cuba between October 1, 2009, and September 30, 2010, or delivered pursuant to a contract entered into between October 1, 2009, and September 30, 2010, and shipped within twelve months from the signing of the contract, the term "payment of cash in advance" shall mean payment before the transfer of title to, and control of, the exported items to the Cuban purchaser;

**Note to § 515.533(a)(2)(i)(B):** The payment rule set forth in this paragraph is required by Section 619 of the Omnibus Appropriations Act, 2010 (Pub. L. 111-117).

\* \* \* \* \*

Dated: March 5, 2010.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

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**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**31 CFR Parts 515, 538, and 560**

**Cuban Assets Control Regulations; Sudanese Sanctions Regulations; Iranian Transactions Regulations**

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

**ACTION:** Final rule.

**SUMMARY:** The Department of the Treasury's Office of Foreign Assets Control ("OFAC") is amending the Sudanese Sanctions Regulations and the Iranian Transactions Regulations to authorize the exportation of certain services and software incident to the exchange of personal communications over the Internet. Similarly, OFAC is amending the Cuban Assets Control Regulations to authorize the exportation of certain services incident to the exchange of personal communications over the Internet.

**DATES:** *Effective Date:* March 8, 2010.

**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 (not toll free numbers).

**SUPPLEMENTARY INFORMATION:**