

Comment

A commenter requested that CBP make it clear that non-U.S. sizes and conversion charts will not be considered in determining whether footwear is deemed "unisex" and that size/gender labels are controlling.

CBP Response

CBP only requires that imported footwear bear country of origin markings. The marking of imported footwear as described in criterion (1) is entirely voluntary and is intended to assist CBP in the determination of whether or not footwear is "commonly worn by both sexes." The size/gender label will generally be controlling.

Comment

A commenter stated that if criterion (2) is to have any practical meaning, it must be revised to permit a showing that comparable footwear is available in women's and girls' sizes.

CBP Response

CBP does not consider comparability to be relevant to the determination of whether a particular style is "unisex." CBP will consider marketing material, retail advertisements, or other convincing documentation demonstrating that the same style of shoe is available in the U.S. marketplace.

Comment

A commenter recommended that CBP indicate that an importer may rely on the size designations, whether or not there is a gender indication, in classifying footwear at the statistical level.

CBP Response

Size designation alone will generally determine the classification of footwear unless the footwear is "commonly worn by both sexes."

Conclusion

Upon due consideration of the comments received, CBP has decided to adopt as final the proposed interpretive rule, which was published in the **Federal Register** (71 FR 41822) on July 24, 2006, with allowance made for the permitted abbreviation to criterion (1) and minor editorial changes to criterion (2). Specifically, in order to clarify the requirements under criterion (2), criteria 2(a) and 2(b) in the final interpretive rule will reference the "same style of shoe" as opposed to the "same shoe". Thus, the final interpretive rule with the minor changes is set forth below.

Final Interpretive Rule

The criteria to be utilized by CBP for determining whether footwear should be considered to be "unisex" under Heading 6403, HTSUS, are:

(1) Footwear in sizes for men, youths and boys will not be considered to be "commonly worn by both sexes" (i.e., "unisex") if marked "MEN'S SIZE ____", "YOUTHS' (or YTH) SIZE ____", or "BOYS' SIZE ____".

(2) Even if not marked as described in criterion 1, footwear in sizes for men, youths or boys will not be considered to be "commonly worn by both sexes" (i.e., "unisex") if:

a. The importer imports the same style of shoe for women and girls, or;
b. Evidence is provided in the form of marketing material, retail advertisements, or other convincing documentation demonstrating that the same style of shoe for women and girls is available in the U.S. marketplace.

(3) A style of footwear in sizes for males will not be presumed to be "commonly worn by both sexes" (i.e., "unisex") unless evidence of marketing establishes that at least one pair in four (25 percent) of that style is sold to and/or worn by females.

(4) A determination that footwear is "commonly worn by both sexes" will trigger "unisex" classification treatment that is applicable to all sizes.

Dated: September 17, 2007.

W. Ralph Basham,

Commissioner, U.S. Customs and Border Protection.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5117-N-83]

Notice of Submission of Proposed Information Collection to OMB; Mortgage Record Change

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

FHA-approved mortgagees report to HUD the sale of a mortgage between investors, the transfer of the mortgage servicing responsibility, or a change in mortgagors, as appropriate. HUD

requires this information to assure accuracy in the fee and premium billing programs under HUD-FHA's automatic data processing system. HUD uses the information to process premium payments and to process claims.

DATES: *Comments Due Date:* October 22, 2007.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2502-0422) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-6974.

FOR FURTHER INFORMATION CONTACT:

Lillian Deitzer, Departmental Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; e-mail Lillian.L.Deitzer@HUD.gov or telephone (202) 708-2374. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Deitzer or from HUD's Web site at <http://www5.hud.gov:63001/po/i/icbts/collectionsearch.cfm>.

SUPPLEMENTARY INFORMATION: This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the information collection described below. This notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This notice also lists the following information:

Title of Proposal: Mortgage Record Change.

OMB Approval Number: 2502-0422.

Form Numbers: HUD-92080.

Description of the Need for the Information and its Proposed Use: FHA-approved mortgagees report to HUD the sale of a mortgage between investors,

the transfer of the mortgage servicing responsibility, or a change in mortgagors, as appropriate. HUD requires this information to assure

accuracy in the fee and premium billing programs under HUD-FHA's automatic data processing system. HUD uses the

information to process premium payments and to process claims.
Frequency of Submission: On occasion.

	Number of re- spondents	Annual re- sponses	x	Hours per re- sponse	=	Burden hours
Reporting Burden	2,600	615.4	0.1	160.025

Total Estimated Burden Hours: 160.025.

Status: Extension of a currently approved collection.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: September 14, 2007.

Lillian L. Deitzer,

Departmental Paperwork Reduction Act Officer, Office of the Chief Information Officer.

[FR Doc. E7-18533 Filed 9-19-07; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5117-N-84]

Notice of Submission of Proposed Information Collection to OMB; HUD Conditional Commitment/Direct Endorsement Statement of Appraised Value

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

The information is used by appraisers and/or underwriters upon their review of the appraisal report (URAR) to determine if a property meets FHA

guidelines to be eligible for HUD mortgage insurance. Underwriters are required to sign and submit a copy of the completed form to HUD for endorsement as part of the case binder; to provide a copy to the homebuyer; and to maintain a copy for the mortgagee.

DATES: *Comments Due Date:* October 22, 2007.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2502-0494) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-6974.

FOR FURTHER INFORMATION CONTACT:

Lillian Deitzer, Departmental Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; e-mail Lillian_L_Deitzer@HUD.gov or telephone (202) 708-2374. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Deitzer or from HUD's Web site at <http://www5.hud.gov:63001/po/i/icbts/collectionsearch.cfm>.

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information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This notice also lists the following information:

Title of Proposal: HUD Conditional Commitment/Direct Endorsement Statement of Appraised Value.

OMB Approval Number: 2502-0494.

Form Numbers: HUD-92800.5B.

Description of the Need for the Information and its Proposed Use: The information is used by appraisers and/or underwriters upon their review of the appraisal report (URAR) to determine if a property meets FHA guidelines to be eligible for HUD mortgage insurance. Underwriters are required to sign and submit a copy of the completed form to HUD for endorsement as part of the case binder; to provide a copy to the homebuyer; and to maintain a copy for the mortgagee.

Frequency Of Submission: On occasion.

	Number of re- spondents	Annual re- sponses	x	Hours per re- sponse	=	Burden hours
Reporting Burden	8,000	7512	72,000