

or fax (202) 267-4814, for questions on these documents; or Ms. Andrea M. Jenkins, Program Manager, Docket Operations, (202) 366-0271, for questions on the docket.

**SUPPLEMENTARY INFORMATION:** The Coast Guard invites comments on the proposed collection of information to determine whether the collection is necessary for the proper performance of the functions of the Department. In particular, the Coast Guard would appreciate comments addressing: (1) The practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility, and clarity of the information that is the subject of the collections; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology.

Comments to DMS or OIRA must contain the OMB Control Number of the Information Collection Request (ICR) addressed. Comments to DMS must contain the docket number of this request, [USCG 2005-21264]. For your comments to OIRA to be considered, it is best if OIRA receives them on or before the September 19, 2005.

**Public participation and request for comments:** We encourage you to respond to this request for comments by submitting comments and related materials. We will post all comments received, without change, to <http://dms.dot.gov>, and they will include any personal information you have provided. We have an agreement with DOT to use their Docket Management Facility. Please see the paragraph on DOT's "Privacy Act Policy" below.

**Submitting comments:** If you submit a comment, please include your name and address, identify the docket number for this request for comment [USCG-2005-21264], indicate the specific section of this document or the ICR to which each comment applies, and give the reason for each comment. You may submit your comments and material by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**, but please submit them by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope.

The Coast Guard and OIRA will consider all comments and material received during the comment period.

We may change the documents supporting this collection of information or even the underlying requirements in view of them.

**Viewing comments and documents:** To view comments, as well as documents mentioned in this notice as being available in the docket, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**Privacy Act:** Anyone can search the electronic form of all comments received in dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Privacy Act Statement of DOT in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

#### Previous Request for Comments

This request provides a 30-day comment period required by OIRA. The Coast Guard has already published the 60-day notice (70 FR 30963, May 31, 2005) required by 44 U.S.C. 3506(c)(2). That notice elicited one comment. The commenter discussed the issue of the state of New Jersey sinking old junk ships off its shore. The comment made no reference to our collection of information request and does not require a response from the Coast Guard.

#### Information Collection Request

**Title:** CG-2554 Private Aids to Navigation Application, and CG-4143 Application for Class I Private Aids to Navigation Artificial Islands/Fixed Structures.

**OMB Control Number:** 1625-0011.

**Type of Request:** Extension of a currently approved collection.

**Affected Public:** Owners and operators of facilities and tank vessels, and certifying entities.

**Forms:** CG-2554 and CG-4143.

**Abstract:** The information on these private aid applications (CG-2554 and CG-4143) provides the Coast Guard with vital information about private aids to navigation and is essential for safe marine navigation. These forms are required under 33 CFR parts 66 and 67. The information is processed to ensure the private aid is in compliance with current regulations. Additionally, these forms provide the Coast Guard with information that can be distributed to

the public to advise of new, or changes to, private aids to navigation.

**Burden Estimates:** The estimated burden has been decreased from 3,073 hours to 3,000 hours a year.

Dated: August 11, 2005.

**Nathaniel S. Heiner,**

*Acting, Assistant Commandant for Command, Control, Communications, Computers and Information Technology.*

[FR Doc. 05-16462 Filed 8-18-05; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

#### Announcement of Test Program Regarding Electronic Foreign Trade Zone Admission Applications

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This notice announces the Bureau of Customs and Border Protection's (CBP) plan to conduct a voluntary test program to allow the submission of electronic Foreign Trade Zone (FTZ) admission applications. Pursuant to the terms of the test, an application for FTZ admission (CBP Form 214—"FTZ Admission and/or Status Designation") may be filed electronically with CBP via the Automated Broker Interface (ABI). Parties not participating in the test may continue to file the CBP Form 214 in a paper format pursuant to existing FTZ procedures. The test program is limited to electronic FTZ admission applications for merchandise reported to CBP via air, sea, and rail manifest. CBP intends to implement a future phase of this test that will allow electronic FTZ admission applications for merchandise reported to CBP via truck manifest as soon as a CBP-approved electronic data interchange system exists for these transmissions. This notice informs interested members of the public of the eligibility and procedural requirements for participation in the test, outlines the evaluation methodology to be used, and invites public comment concerning any aspect of the planned prototype test.

**DATES:** The Electronic FTZ Admission Application test program will commence no earlier than September 30, 2005, and will run for approximately 6 months with a final evaluation to take place at the end of that period. CBP may extend the test period by way of announcement in the **Federal Register**.

Comments concerning this notice and any aspect of the prototype may be submitted at any time during the test period.

**ADDRESSES:** Written comments regarding this notice should be addressed to Customs and Border Protection, Cargo Control Branch, 1300 Pennsylvania Avenue, NW., Room 5.2A, Washington, DC 20229.

**FOR FURTHER INFORMATION CONTACT:** Gary Rosenthal, Customs and Border Protection, Office of Field Operations, via e-mail at [gary.rosenthal@dhs.gov](mailto:gary.rosenthal@dhs.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

*Electronic Foreign Trade Zone Admission Application Prototype: Planned Component of the National Customs Automation Program*

Title VI of the North American Free Trade Agreement Implementation Act (the Act), Pub. L. 103-182, 107 Stat. 2057 (December 8, 1993), contains provisions pertaining to Customs Modernization (107 Stat. 2170). Subpart B of Title VI of the Act concerns the National Customs Automation Program (NCAP), an electronic system for the processing of commercial importations. Within subpart B, section 631 of the Act added section 411 to the Tariff Act of 1930 (19 U.S.C. 1411-1414), which defines the NCAP, provides for the establishment of and participation in the NCAP, and includes a list of existing and planned components. Section 411(a)(2)(G) identifies any program initiated by CBP to carry out the automation goals of this subpart as a planned NCAP component. The planned test program described in this document falls within this category of planned NCAP component.

Section 101.9(b) of Title 19 of the Code of Federal Regulations (19 CFR 101.9(b)) provides for the testing of NCAP planned components. The Electronic Foreign Trade Zone (FTZ) Admissions Application prototype is being tested in accordance with this provision.

*Description of the Test Program*

The Electronic FTZ Admission Application test program permits a participant to submit an electronic version of the CBP Form 214 ("FTZ Admission and/or Status Designation") to CBP via the Automated Broker Interface (ABI) of Customs Automated Commercial System (ACS). Any person not participating in the prototype will be required to submit a paper CBP Form 214 pursuant to existing FTZ admission procedures.

The test program is limited to electronic FTZ admission applications for merchandise reported to CBP via air, sea, and rail manifest. It is noted that CBP intends to implement a future phase of this test that will allow electronic FTZ admission applications for merchandise reported to CBP via truck manifest as soon as a CBP-approved electronic data interchange system exists for these transmissions.

*Regulatory Provisions Suspended*

Subpart C to part 146 of the CFR prescribes the conditions applicable to admission of merchandise into a foreign trade zone. To the extent that certain provisions within subpart C to part 146 may be incompatible with the terms of this test program, the affected regulatory provisions will be suspended for the duration of the prototype test.

*Test Commencement Date*

The test program will commence no earlier than September 30, 2005, and will run for a 6-month period with a final evaluation to take place at the end of the test period. CBP may extend the prototype and any such extension will be announced in the **Federal Register**.

*Participant Eligibility*

Eligible participants in the Electronic FTZ Admissions Application test program include:

- FTZ operators
- FTZ Admission Applicants
- Agents of FTZ Admission Applicants

Participation in the test is voluntary and there are no application procedures.

*Prototype Procedures*

*Submission of Electronic CBP Form 214 and Related Data*

Test participants must request permission to admit merchandise into a FTZ by electronically transmitting the CBP Form 214 data elements to CBP via ABI. The data transmission may cover a single shipment of merchandise or be a consolidated transmission that covers multiple shipments to a single zone. CBP must receive the CBP Form 214 before the merchandise can be released for admission into the FTZ. An exception to this requirement exists for test participants who are authorized to use the FTZ direct delivery procedures, as discussed below.

The test program will also incorporate transmissions of data on merchandise that is transported to a FTZ or from a FTZ if the data transmission is made via CBP Form 7512 in-bond transaction or its electronic equivalent.

**Prior Notice Reporting Requirements**

Test participants, including those approved to participate under direct delivery procedures, must comply with the prior notice reporting requirements stipulated in the Public Health Security and Bioterrorism Preparedness and Responsive Act of 2002 ("the Bioterrorism Act"), Public Law 107-188. Title III of the Bioterrorism Act contains provisions relating to providing the Department of Health and Human Services with prior notice regarding certain information about foods that are imported or offered for import into the United States.

**Direct Delivery Procedures**

As a general rule, a test participant who is also authorized to use the direct delivery procedures prescribed in § 146.39 (19 CFR 146.39) to admit merchandise into a FTZ may transmit the required data to CBP on an electronic CBP Form 214 no later than the close of business on the business day following receipt of the merchandise into the FTZ inventory control and recordkeeping system.

With regard to the applicability of direct delivery procedures in the context of the test program, two exceptions to the above rule are noted. First, as stated above, direct delivery participants are subject to any applicable prior notice reporting requirements set forth in the Bioterrorism Act. Second, in the absence of a CBP Form 7512 in-bond transaction authorizing direct delivery to the FTZ, or its electronic equivalent, a permit to transfer request must be electronically transmitted to CBP before the merchandise can be released for admission.

**FTZ Operators as Test Participants**

Under the test program, a FTZ operator will be able to accept or reject the merchandise, assume custodial responsibility for the accepted merchandise and report discrepancies between the documents covering the merchandise and the merchandise itself, admit zone status merchandise transferred from another zone, change zone status, admit domestic status merchandise, and transmit post admission inventory adjustment transactions via ABI.

**Transmittal of Statistical Data to the Bureau of Census**

After permission to transfer merchandise into a FTZ is granted, CBP will transmit statistical data to the Bureau of the Census through an automated link.

*CBP Form 214 Required Data Elements*

Participants in the test must provide CBP with the following data elements:

- A code representing the action to be taken (*i.e.*, add, delete, replace).
- A line item number.
- The zone number designated in the foreign trade zone grant.
- The port code where the FTZ is located as shown in Schedule D, Harmonized Tariff Schedule of the United States (HTSUS).
- An indicator specifying whether the merchandise is being admitted into the FTZ under direct delivery procedures.
- The Automated Broker Interface (ABI) filer code.
- The ABI routing code and optional office extension for one additional ABI participant who will receive a copy of the electronic CBP Form 214 and subsequent electronic notifications.
- The IRS number, Importer of Record Number or EIN of the applicant.
- An indicator specifying the admission type.
- The mode of transportation code. Valid codes are listed in Appendix B of the CATAIR (CBP Publication 552, Customs and Trade Automated Interface Requirements).
- The name of the conveyance (if not a vessel, the name of the transportation company).
- The vessel voyage, truck or rail trip, or aircraft flight number.
- The country of export.
- The export date. For merchandise arriving in the U.S. by vessel: the month, day and year on which the vessel departed the last port of the country of exportation. For merchandise exported by air: the month, day and year on which the aircraft departed the last airport of the country of exportation. For merchandise exported by truck or rail: the month, day and year in which the carrier crossed the border of the country of exportation.
- The import date. For merchandise arriving in the U.S. by vessel: the month, day and year on which the vessel transporting the merchandise from the foreign country arrived within the limits of the U.S. port at which the merchandise was unladen. For merchandise arriving in the U.S. other than by vessel: the month, day and year in which the merchandise arrived within the territory of the U.S.
- The zone admission number (zone number, calendar year, and control number).
- The U.S. port of unloading (the port at which the merchandise was unladen whether or not the port is a CBP port of entry). Valid codes are listed in Schedule D issued by the Bureau of the Census.

- The foreign port of lading.
- The bill of lading or airway bill number.
- The house bill number.
- The Standard Carrier Alpha Code (SCAC) identifier of the importing carrier.
- The immediate transportation (IT) number assigned to in-bond shipments and the date the CBP Form 7512 was prepared.
- The number of packages and the country of origin. An indication of the quantity and unit of measure (cartons, cases, bundles, etc.) in the shipment as stated in the Customs Automated Manifest Interface Requirements (CAMIR). For containerized merchandise, an indication of the number of packages within the container(s) and the container number(s). For bulk shipments, show "1 Bulk." Enter the country of origin code, provided in Annex B, ISO code, Harmonized Tariff Schedule (HTS), which represents the country of origin in which the product was manufactured, mined, or grown. If the merchandise is from more than one country of origin, the country of origin will be indicated separately against each HTS subheading or group of subheadings.
- A detailed description of the merchandise at the line item level.
- The Manufacturer Identification (MID) number (as required for type 01 entries).
- The applicable HTS number(s).
- The quantity of the merchandise for each HTS number.
- The quota category (if applicable).
- The gross weight in kilograms of the merchandise. Supply separate gross weight information for each HTS subheading.
- The separate value and aggregate charges: For each HTS, enter the purchase price (in U.S. dollars) or, if the merchandise was not acquired by purchase, the equivalent of such price. Also, report the aggregate cost (in U.S. dollars) of freight, insurance, and all other costs, charges and expenses incurred in bringing the merchandise from alongside the carrier at the foreign port of exportation in the country of exportation in addition to unloading the merchandise at the first U.S. port of entry.
- The indicator designating a special program and country affecting duty payments (if applicable).
- If applicable, a qualifier code and reference identifier associated with the shipment. Valid qualifiers are listed in the CATAIR. Code "IM" will be added to indicate importer.

- The Harbor Maintenance Fee incurred for loading or unloading the commercial cargo from a commercial vessel.
- The FTZ status designation of the merchandise.
- The container number if a permit to transfer is requested.
- Concurrence/discrepancy data relating to the admission application/permit to transfer.
- The IRS number of the carrier responsible for the movement of merchandise into the FTZ following issuance of a permit to transfer.
- The Facilities Information and Resources Management Systems (FIRMS) code identifying the location that the merchandise (moving on a permit to transfer) is being delivered to.
- The three position airport code if the bill of lading is Air AMS.
- An indicator if the merchandise is subject to Bioterrorism Act of 2002 requirements.

Test participants are responsible for the accuracy and completeness of all data transmitted under the prototype.

*Processing of Electronic FTZ Admission Applications*

Upon approval of an electronic FTZ admission application, CBP will transmit electronic notice to the FTZ operator authorizing admission of the merchandise into the FTZ. As noted above, this approval process does not apply to merchandise admitted to a FTZ under direct delivery procedures.

After CBP receives notice of the FTZ operator's decision to grant or deny admission, CBP will electronically transmit approval/denial to transfer the merchandise into the FTZ electronically to the test applicant or the applicant's agent, and to the carrier of the merchandise. CBP will also provide electronic notice to these parties as to whether the merchandise is subject to CBP examination. In addition, test program participants and carriers will be able to receive electronic notification concerning the status of an admission request.

A test participant whose FTZ admission application is rejected by CBP will be provided with an opportunity to correct the reported error. A complete re-transmission of the entire admission application through ABI is required by CBP.

*Misconduct Under the Test*

A test participant may be subject to civil and criminal penalties, administrative sanctions, liquidated damages, and/or suspension from this test for any of the following:

- Failure to abide by the terms and conditions of this test, and any applicable laws and regulations.
- Failure to exercise reasonable care in the execution of participant obligations.
- Misuse of the automated CBP Form 214 (*i.e.*, engaging in unauthorized disclosure or any activity which interferes with the successful evaluation of the new technology).

The Executive Director, Trade Compliance and Facilitation, will administer suspensions for misconduct. A written notice proposing suspension will be provided to the participant. Such notice will apprise the participant of the alleged facts or conduct warranting suspension and will inform the participant of the date that the suspension will begin. Any decision proposing suspension of a participant may be appealed in writing to the Assistant Commissioner, Office of Field Operations, 1300 Pennsylvania Ave., NW., Washington, DC 20229, within 15 calendar days of the notification date. An appeal must address the alleged facts or conduct charges contained in the notice and state how compliance has been or will be achieved. In cases of non-payment, late payment, willful misconduct or where public health interests or safety is concerned, the suspension may be effective immediately. The same appeal procedures apply in cases of immediate suspension.

#### *Test Evaluation Criteria*

To ensure adequate feedback, participants are required to participate in an evaluation of this test. CBP also invites all interested parties to comment on the design, conduct and implementation of the test at any time during the test period. CBP will publish the final results in the **Federal Register** and the CBP Bulletin as required by section 101.9 (b) of Title 19 of the CFR.

The following evaluation methods and criteria have been suggested:

1. Baseline measurements to be established through data analysis;
2. Questionnaires from both trade participants and CBP addressing such issues as:
  - Workload impact (workload shifts/volume, cycle times, *etc.*)
  - Cost savings
  - Policy and procedure accommodation
  - Trade compliance impact
  - Problem resolution
  - System efficiency
  - Operational efficiency
  - Other issues identified by the participant group

Dated: August 12, 2005.

**Jayson P. Ahern,**

*Assistant Commissioner, Office of Field Operations.*

[FR Doc. 05-16427 Filed 8-18-05; 8:45 am]

BILLING CODE 9110-06-P

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4980-N-33]

### Federal Property Suitable as Facilities To Assist the Homeless

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**DATES:** Effective August 19, 2002.

#### **FOR FURTHER INFORMATION CONTACT:**

Kathy Ezzell, Department of Housing and Urban Development, Room 7262, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with the December 12, 1988, court order in *National Coalition for the Homeless v. Veterans' Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: August 11, 2005.

**Mark R. Johnston,**

*Director, Office of Special Needs Assistance Programs.*

[FR Doc. 05-16243 Filed 8-18-05; 8:45 am]

BILLING CODE 4210-29-M

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-486 Enforcement Proceedings]

### Certain Agricultural Tractors, Lawn Tractors, Riding Lawnmowers, and Components Thereof; Notice of a Commission Determination To Review and on Review To Modify an Enforcement Initial Determination; Termination of Proceedings

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part an enforcement initial determination (EID) of the presiding administrative law judge (ALJ) in the above-captioned investigation finding a violation of a limited exclusion order, but declining to recommend any enforcement measures. On review, the Commission has determined to modify the ID by correcting the ALJ's finding that the Commission intended to foreclose the possibility of issuing a general exclusion order as a remedy in the above-captioned proceedings when it denied complainant's petition for modification of the existing limited exclusion order. The Commission has determined not to review the remainder of the EID.

#### **FOR FURTHER INFORMATION CONTACT:**

Michael K. Haldenstein, Esq., telephone 202-205-3041, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On July 3, 2003, at the conclusion of Inv. No. 337-TA-486, Certain Agricultural Tractors, the Commission issued a limited exclusion order which denies entry to