

U.S. Customs and Border Protection



**DEPARTMENT OF THE TREASURY
19 CFR Parts 181 and 191**

Docket No. CBP Dec. 15-11

RIN 1515-AE02

**LIBERALIZATION OF CERTAIN DOCUMENTARY
EVIDENCE REQUIRED AS PROOF OF EXPORTATION ON
DRAWBACK CLAIMS**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security; Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document amends U.S. Customs and Border Protection (CBP) regulations by removing some of the requirements for documentation used to establish proof of exportation for drawback claims. Currently, claimants must provide originally signed documentary evidence or a certified copy of such documentary evidence to establish the date and fact of exportation of articles for drawback purposes. This document also amends various sections of title 19 of the Code of Federal Regulations (CFR) to reflect that there is no longer a legal requirement that the export invoice for mail shipments be certified. Additionally, this document amends Appendix B to part 191 of title 19 so that the Appendix reflects previous regulatory amendments closing four drawback offices. Finally, this document amends CBP regulations to reflect the change from the legacy agency name of U.S. Customs Service to the current agency name of U.S. Customs and Border Protection and to make other non-substantive editorial changes.

DATES: This final rule is effective on August 7, 2015.

FOR FURTHER INFORMATION CONTACT: For legal aspects, Carrie L. Owens, Chief, Entry Process & Duty Refunds Branch, Regulations and Rulings, Office of International Trade, (202)

325–0266. For operational aspects, Celestine L. Harrell, Chief, Post Release and Trade Processes Branch, Office of International Trade, (202) 863–6937.

SUPPLEMENTARY INFORMATION:

Background

This document amends the U.S. Customs and Border Protection (CBP) regulations by: (1) Removing some of the requirements for drawback claimants to establish proof of exportation; (2) conforming Appendix B to part 191 of the CBP regulations to previous regulatory changes reflecting the closing of four drawback offices; (3) updating the regulations to reflect that CBP is now part of the Department of Homeland Security; and (4) making other non-substantive editorial and nomenclature changes.

Easing the Requirements for Establishing Proof of Exportation

This document amends title 19 of the Code of Federal Regulations (19 CFR) by making amendments to 19 CFR parts 181 and 191, specifically, sections 19 CFR 181.47, 191.72 and 191.74 to align CBP documentation requirements with current business practices related to the documents used to establish the date and fact of exportation for purposes of drawback. In order to qualify for drawback, claimants must establish that articles are exported or destroyed. When drawback is claimed for exported goods, the claimant must submit documentation that establishes fully the date and fact of exportation and the identity of the exporter. *See* 19 CFR 191.72. For certain types of drawback claims subject to the North American Free Trade Agreement (NAFTA), documentation must also establish the identity and location of the ultimate consignee of the exported goods. *See* 19 CFR 181.47 (b)(2)(ii)(G).

The documents for establishing exportation include, but are not limited to: a bill of lading, air waybill, freight waybill, Canadian Customs manifest, and/or cargo manifest. *See* 19 CFR 191.72(a). If the export is a mail shipment, vessel supply, or transfer to a foreign trade zone, other procedures to establish exportation may apply. *See* 19 CFR 191.72 (c)–(e). Current CBP regulations specify that the documents listed in paragraph (a) must be either originally signed or certified copies thereof. *See* 19 CFR 191.72(a). Additionally, certain claims subject to NAFTA require that the claimant produce an originally signed document or a certified copy of such document. *See* 19 CFR 181.47(b)(2)(ii)(G).

Acquiring pen and ink signatures for the original documentation or certified copies of such documentation is time consuming and often

unrealistic for the trade. CBP realizes the difficulty of having to provide a pen and ink signature for documents when these documents are issued electronically and do not contain an actual pen and ink signature. As a consequence, drawback claims are often denied when claimants can produce only documentary evidence that does not contain a signature or copies of such documents that are not certified.

As such, CBP is amending its regulations by removing the requirement that the documentary evidence that establishes the date and fact of exportation for drawback eligibility be originally signed or that any copy of such documentary evidence must be certified. CBP will now allow claimants to provide unsigned originals or copies of documentary evidence as proof of export for drawback eligibility. Therefore, copies of original documentary evidence will no longer need to be certified.

Additionally, pursuant to 19 CFR 191.72(c), CBP currently requires a certified export invoice for mail shipments and references section 191.74. Even though section 191.72(c) cites to section 191.74 as a reference for the “certified export invoice” requirement for mail shipments, the regulatory text of 19 CFR 191.74 does not require a claimant to submit a certified copy of the export invoice, but only requires that the claimant provide the official postal records. There is no reference to “export invoice” in section 191.74. Further, the only reference to “certification” is in the title heading to section 191.74. Accordingly, CBP is removing the phrase “Certification of” from the heading text to section 191.74 as it is misleading as to what that regulation requires. Thus, CBP is clarifying that claimants submitting postal records in support of exportation in accordance with section 191.74 may submit either originals or uncertified copies of official postal records by clearly stating that within the text of section 191.74. Further, CBP is revising section 191.72(c) to accurately reflect the plain language of section 191.74 by requiring evidence of official postal records (originals or copies) that demonstrate exportation by mail.

Other non-substantive editorial changes to reflect the plain English mandate are made to these regulatory sections, 19 CFR 181.47, 191.72 and 191.74.

Conforming Amendments

CBP inadvertently failed to remove from Appendix B to part 191 references to certain drawback offices when the agency previously amended the regulations to close four drawback offices. Three drawback offices were closed in 2003 (Boston, MA; New Orleans, LA; and

Miami, FL) and one in 2010 (Long Beach, CA). See *Consolidation of Customs Drawback Centers: Final rule*, 68 FR 3381, dated January 24, 2003; and *Further Consolidation of CBP Drawback Centers: Final rule*, 75 FR 24392, dated May 5, 2010. Accordingly, this document amends Appendix B, Sections II through V within part 191 of 19 CFR to reflect the closure of those four drawback offices by removing the reference to eight drawback offices and by removing the references to the locations of the four closed offices (that is, Boston, MA; Long Beach, CA; Miami, FL; and New Orleans, LA).

Nomenclature Changes

On November 25, 2002, the President signed into law the Homeland Security Act of 2002 (Pub. L. 107–296, 116 Stat. 2135). Accordingly, as of March 1, 2003, the former U.S. Customs Service of the Department of the Treasury was transferred to DHS and reorganized to become CBP. Accordingly, this document further amends § 181.47 to reflect the change from the legacy agency name, U.S. Customs Service, to the current name, U.S. Customs and Border Protection or CBP.

Discussion of Changes

Part 181

Section 181.47 of the CBP regulations (19 CFR 181.47) pertains to the documents required for a NAFTA drawback claim. Paragraph (b)(2)(ii)(G) of § 181.47 is amended by removing the requirement that copies of the exemplar documents in that paragraph be certified.

In addition, section 181.47 contains the legacy agency name of Customs. Accordingly, § 181.47 is amended to remove the outdated information and replace it with the current agency name CBP in §§ 181.47(b)(2), 181.47(b)(2)(i)(A), 181.47(b)(2)(i)(B), 181.47(b)(2)(i)(F), 181.47(b)(2)(ii)(A), 181.47(b)(2)(ii)(B), 181.47(b)(2)(ii)(C), 181.47(b)(2)(ii)(D), 181.47(b)(2)(ii)(E), 181.47(b)(2)(iii)(A), 181.47(b)(2)(iii)(B), and 181.47(b)(2)(iii)(D). Additionally, the word “shall” is replaced with either “must”, “will” or “is”, as appropriate, in paragraphs (a), (b)(1), (b)(2)(i), (b)(2)(i)(E), (b)(2)(ii), (b)(2)(ii)(B), (b)(2)(ii)(G), (b)(2)(ii)(H), (b)(2)(iii), (b)(2)(iv), (b)(2)(v), and (c) of § 181.47 to conform with the plain English mandate.

Part 191

Section 191.72 of the CBP regulations (19 CFR 191.72) pertains to exportation procedures for drawback. Section 191.72(a) is amended by removing the terms “originally signed” and “certified” from the list

of acceptable documentary evidence for establishing the date and fact of exportation for drawback eligibility. Section 191.72(c) is revised to reflect the requirements of section 191.74 and to reflect that the postal records for export shipments no longer have to be certified. Section 191.74 is amended by removing the words “Certification of” from the heading text because the text of 191.74 does not require a claimant to submit a certified copy of the postal record and the title heading cannot impose a legal requirement that is not also reflected in the regulatory text. CBP is also making it clear that claimants may submit either originals or copies of official postal records by adding the parenthetical phrase “(originals or copies)” after the phrase “official postal records” in section 191.74.

This document also makes non-substantive amendments to Appendix B, Sections II through V within part 191 of 19 CFR as discussed above.

Inapplicability of Notice and Delayed Effective Date

Because the amendments in parts 181 and 191 of 19 CFR set forth in this document merely relieve a burden on the public and the amendments to the Appendix of part 191 conform the regulations to previous regulatory changes to reflect the consolidation of drawback offices, CBP finds that good cause exists for dispensing with notice and public procedure as unnecessary under 5 U.S.C. 553(b)(B). For the same reason, pursuant to 5 U.S.C. 553(d)(3), CBP finds good cause for dispensing with the requirement for a delayed effective date.

Regulatory Flexibility Act

Because this document is not subject to the notice and public procedure requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Executive Order 12866

These amendments do not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866, as supplemented by Executive Order 13563.

Signing Authority

This regulation is being issued in accordance with 19 CFR 0.1(a)(1), pertaining to the authority of the Secretary of the Treasury (or that of his delegate) to approve regulations concerning drawback.

List of Subjects

19 CFR Part 181

Administrative practice and procedure, Customs duties and inspection, Exports, Imports, Reporting and recordkeeping requirements.

19 CFR Part 191

Claims, Customs duties and inspection, Exports, Reporting and recordkeeping requirements.

Amendments to the CBP Regulations

For the reasons set forth above, parts 181 and 191 of the CBP Regulations (19 CFR parts 181 and 191) and Appendix B to part 191 of 19 CFR are amended as set forth below:

PART 181—NORTH AMERICAN FREE TRADE AGREEMENT

■ 1. The general authority citation for part 181 continues to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1624, 3314.

* * * * *

§ 181.47 [Amended]

■ 2. In § 181.47:

■ a. Paragraph (a) is amended by:

■ (i) In the first sentence, by removing the word “shall” and adding, in its place, the word “will”;

■ (ii) In the second sentence, by removing the word “shall” each place it occurs and adding, in its place, the word “must”; and

■ (iii) In the third sentence, by removing the word “shall” and adding, in its place, the word “will”;

■ b. Paragraph (b)(1) is amended by removing the word “shall” each place it occurs and adding, in its place, the word “must”;

■ c. Paragraph (b)(2) introductory text is amended by removing the word “Customs” and adding, in its place, the term “CBP”;

■ d. Paragraph (b)(2)(i) is amended by removing the word “shall” and adding, in its place, the word “must”;

■ e. Paragraphs (b)(2)(i)(A), (b)(2)(i)(B) and (b)(2)(i)(F) are amended by removing the word “Customs” and adding, in its place, the term “CBP”;

■ f. Paragraphs (b)(2)(i)(E) and (b)(2)(ii) introductory text are amended by removing the word “shall” and adding, in its place, the word “must”;

■ g. Paragraph (b)(2)(ii)(A) is amended by removing the word “Customs” and adding, in its place, the term “CBP”; and by removing the word “shall” and adding, in its place, the word “must”;

■ h. Paragraph (b)(2)(ii)(B) is amended by:

■ (i) Removing the first and third occurrence of the word “Customs” and adding, in its place, the term “CBP”;

■ (ii) Removing the second occurrence of the word “Customs” and adding, in its place, the words “the CBP-assigned”; and

■ (iii) Removing the word “shall” and adding, in its place, the word “must”;

■ i. Paragraphs (b)(2)(ii)(C), (b)(2)(ii)(D) and (b)(2)(ii)(E) are amended by removing the word “Customs” and adding, in its place, the term “CBP”;

■ j. Paragraph (b)(2)(ii)(G) is revised;

■ k. Paragraph (b)(2)(ii)(H) is amended by removing the phrase “shall be” and adding, in its place, the word “is”;

■ l. Paragraph (b)(2)(iii) is amended by removing the word “shall” and adding, in its place, the word “must”;

■ m. Paragraphs (b)(2)(iii)(A), (b)(2)(iii)(B), and (b)(2)(iii)(D) are amended by removing the word “Customs” each place it appears and adding, in its place, the term “CBP”;

■ n. Paragraph (b)(2)(iv) is amended by:

■ (i) Removing the first occurrence of the word “shall” and adding, in its place, the word “will”; and

■ (ii) Removing the second occurrence of the word “shall” and adding, in its place, the word “must”;

■ o. Paragraph (b)(2)(v) is amended by removing the word “shall” and adding, in its place, the word “will”; and

■ p. Paragraph (c) introductory text is amended by removing the word “shall” and adding, in its place, the word “must”.

The revision reads as follows:

§ 181.47 Completion of claim for drawback.

* * * * *

(b) * * *

(2) * * *

(ii) * * *

(G) *Evidence of exportation.* Acceptable documentary evidence of exportation of goods to Canada or Mexico may include originals or copies of any of the following documents that are issued by the exporting carrier: bill of lading, air waybill, freight waybill, export ocean bill of lading, Canadian customs manifest, and cargo manifest. Supporting documentary evidence must establish fully the time and fact of exportation, the identity of the exporter, and the identity and location of the ultimate consignee of the exported goods;

* * * * *

PART 191—DRAWBACK

■ 3. The general authority citation for part 191 continues to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1313, 1624.

* * * * *

§ 191.72 [Amended]

4. In § 191.72:

■ a. The introductory paragraph is amended by removing the word “shall” and adding, in its place, the word “must” in the first two sentences; and

■ b. Paragraphs (a) and (c) are revised to read as follows:

§ 191.72 Exportation procedures.

* * * * *

(a) Documentary evidence of exportation (originals or copies) issued by the exporting carrier, such as a bill of lading, air waybill, freight waybill, Canadian Customs manifest, and/or cargo manifest;”.

* * * * *

(c) Official postal records (originals or copies) which evidence exportation by mail (§ 191.74);

* * * * *

§ 191.74 [Amended]

■ 5. In § 191.74:

■ a. The section heading is revised;

■ b. In the first sentence, add the parenthetical “(originals or copies)” after the phrase “the official postal records”; and

■ c. The last sentence is amended by removing the parenthetical “(see § 191.51(a))” and adding, in its place, the parenthetical “(see § 191.51(a))”.

The revision reads as follows:

§ 191.74 **Exportation by mail.**

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Appendix B to Part 191 [Amended]

■ 6. In Appendix B to Part 191, Sections II through V, under the headings titled, “CBP OFFICE WHERE DRAWBACK CLAIMS WILL BE FILED” remove the parenthetical “(The 8 offices where drawback claims can be filed are located at: Boston, MA; New York, NY; Miami, FL; New Orleans, LA; Houston, TX; Long Beach, CA; Chicago, IL; San Francisco, CA)” each place it appears and adding, in its place, the parenthetical “(The four offices where drawback claims can be filed are located at: New York, NY; Houston, TX; Chicago, IL; San Francisco, CA)”.

Dated: August 4, 2015.

R. GIL KERLIKOWSKA,
Commissioner,

U.S. Customs and Border Protection.

TIMOTHY E. SKUD,
Deputy Assistant Secretary of the Treasury.

[Published in the Federal Register, August 7, 2015 (80 FR 47405)]



U.S. CUSTOMS AND BORDER PROTECTION USER FEE ADVISORY COMMITTEE (UFAC) CHARTER RENEWAL.

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security (DHS).

ACTION: Committee Management; Notice of Federal Advisory Committee Charter Renewal

SUMMARY: The Secretary of the Department of Homeland Security (DHS) has determined that the renewal of the charter of the U.S. Customs and Border Protection User Fee Advisory Committee (UFAC) is necessary and in the public interest in connection with the U.S. Customs and Border Protection's (CBP's) performance of its duties. This determination follows consultation with the Committee Management Secretariat, General Services Administration.

Name of Committee: U.S. Customs and Border Protection User Fee Advisory Committee (UFAC).

ADDRESSES: If you desire to submit comments on this action, they must be submitted by October 9, 2015. Comments must be identified by docket number and may be submitted by *one* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* (Tradeevents@dhs.gov). Include the docket number in the subject line of the message.
- *Fax:* (202) 325-4290.
- *Mail:* Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229.
- *Instructions:* All submissions received must include the words "Department of Homeland Security" and USCBP-2015-0027, the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov> including any personal information provided.
- *Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> and search for Docket Number USCBP-2015-0027. To submit a comment, *see* the link on the Regulations.gov Web site for "How do I submit a comment?" located on the right hand side of the main site page.

FOR FURTHER INFORMATION CONTACT: Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229; telephone (202) 344-1440; facsimile (202) 325-4290.

Purpose and Objective: The charter of the U.S. Customs and Border Protection User Fee Advisory Committee (UFAC) is being renewed for two years in accordance with the Federal Advisory Committee Act (FACA) 5 U.S.C. Appendix. A copy of the charter can be found at <http://www.cbp.gov/trade/stakeholder-engagement/user-fee-advisory-committee>. UFAC is tasked with providing advice to the Secretary of the Department of Homeland Security through the Commissioner of U.S. Customs and Border Protection on matters related to the performance of inspections coinciding with the assessment of an agriculture, customs, or immigration user fee.

Duration: The committee's charter is effective June 10, 2015, and expires June 10, 2017.

Responsible CBP Officials: Ms. Maria Luisa Boyce, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229; telephone (202) 344-1440.

Dated: August 5, 2015.

MARIA LUISA BOYCE,
*Senior Advisor for Private Sector
Engagement / Executive Director,
Office of Trade Relations.*

[Published in the Federal Register, August 10, 2015 (80 FR 47943)]

**MODIFICATION OF NATIONAL CUSTOMS AUTOMATION
PROGRAM (NCAP) TEST CONCERNING THE AUTOMATED
COMMERCIAL ENVIRONMENT (ACE) PARTNER
GOVERNMENT AGENCY (PGA) MESSAGE SET
REGARDING TYPES OF TRANSPORTATION MODES AND
CERTAIN DATA REQUIRED BY THE NATIONAL HIGHWAY
TRAFFIC SAFETY ADMINISTRATION (NHTSA)**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This document announces U.S. Customs and Border Protection's (CBP's) plan to modify the National Customs Automation Program (NCAP) test concerning the transmission of electronic filings through the Automated Commercial Environment (ACE), known as the Partner Government Agency (PGA) Message Set test. These modifications extend the current PGA Message Set to cover entries arriving by ocean, truck, rail, and air modes of transportation at CBP-designated ports and expands the use of the ACE PGA Message

Set for the transmission of U.S. Department of Transportation, National Highway Traffic Safety Administration (NHTSA) import data for entries of motor vehicles and motor vehicle equipment items. CBP invites public comment concerning the test program.

DATES: The modified PGA Message Set test will commence no earlier than August 10, 2015, and will continue until concluded by way of announcement in the **Federal Register**. Comments will be accepted through the duration of the test.

ADDRESSES: Comments concerning this notice and any aspect of this test may be submitted at any time during the test via email to Josephine Baiamonte, ACE Business Office (ABO), Office of International Trade at *josephine.baiamonte@cbp.dhs.gov*. In the subject line of your email, please indicate, “Comment on NHTSA PGA Message Set Test FRN”.

FOR FURTHER INFORMATION CONTACT: For NHTSA-related PGA Message Set test questions, interested parties should send an email message to Clint Lindsay at *Clint.Lindsay@dot.gov* or Coleman Sachs at *Coleman.Sachs@dot.gov*, and they should send a copy of that message to their assigned CBP client representative. For technical questions related to the Automated Commercial Environment (ACE) or Automated Broker Interface (ABI) transmissions, contact your assigned client representative. Interested parties without an assigned client representative should direct their questions to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov* with the subject heading “PGA Message Set NHTSA Test FRN-Request to Participate”.

SUPPLEMENTARY INFORMATION:

Background

This test notice, and the Customs related electronic functions it describes, are part of the National Customs Automation Program (NCAP). NCAP was established in Subtitle B of Title VI—Customs Modernization, in the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057, December 8, 1993) (Customs Modernization Act). *See* 19 U.S.C. 1411. Through NCAP, the initial focus of customs modernization was on trade compliance and the development of the Automated Commercial Environment (ACE), the planned successor to the legacy Customs Automated Commercial System (ACS). ACE is an automated and electronic system for commercial trade processing. ACE will streamline business processes, facilitate growth in trade, ensure cargo security, and foster participation in global commerce, while ensuring compliance with U.S. laws

and regulations and reducing costs for CBP and all its communities of interest. The ability to meet these objectives depends upon successfully modernizing CBP's business functions and the information technology that supports those functions. CBP's modernization efforts are accomplished through phased releases of ACE component functionality, designed to introduce a new capability or to replace a specific legacy ACS function. Each release will begin with a test, and will end with mandatory compliance with the new ACE feature, thus retiring the legacy ACS function. Each release builds on previous releases, and sets the foundation for subsequent releases.

On December 13, 2013, U.S. Customs and Border Protection (CBP) published in the **Federal Register** a notice announcing a National Customs Automation Program (NCAP) test called the Partner Government Agency (PGA) Message Set test. *See* 78 FR 75931. This test is in furtherance of key CBP International Trade Data System (ITDS) initiatives, as provided in the Security and Accountability For Every Port Act of 2006 ("SAFE Port Act"), Pub. L. 109-347, 120 Stat. 1884 (19 U.S.C. 1411(d)), to achieve the vision of ACE as the "single window" for the Government and trade community. ACE will automate and enhance the interaction between international trade partners, CBP, and PGAs by facilitating electronic collection, processing, sharing, and review of trade data and documents required by Federal agencies during the cargo import and export process. The use of ACE to process trade data will significantly increase efficiency and reduce costs compared to the traditional manual method of processing of paper forms.

The PGA Message Set is the data required to satisfy the PGAs' reporting requirements.

ACE will enable the trade community to submit trade-related data, required by the PGAs, only once to CBP, thus improving communications between agencies and filers, and shortening entry processing time. This data must be submitted at any time prior to the arrival of the merchandise on the conveyance transporting the cargo to the United States as part of the ACE Cargo Release process. The data will be validated and made available to the relevant PGAs involved in import, export, and transportation-related decision making. The data will satisfy the filer's obligation to make entry and will allow for earlier release decisions and more certainty for the importer in determining the logistics of cargo delivery. Also, by virtue of being electronic, the PGA Message Set will eliminate the necessity for the submission and subsequent manual processing of paper documents.

The December 2013 **Federal Register** notice announced that ACE would be accepting certain PGA data elements for the Environmental Protection Agency (EPA) and the U.S. Department of Agriculture,

Food Safety and Inspection Service (FSIS) for type “01” (consumption) and type “11” (informal) commercial entries filed at specified ports. The December 2013 **Federal Register** notice also provides additional background on the NCAP and the International Trade Data System (ITDS). On February 4, 2015, CBP published the announcement that it had broadened the PGA Message Set test to accept additional PGA data elements for the EPA, for type “01” (consumption) and type “11” (informal) commercial entries filed at specified ports. *See* 80 FR 6098.

For the convenience of the public, a chronological listing of **Federal Register** publications detailing ACE test developments is set forth below in Section XIV, entitled, “Development of ACE Prototypes”. The procedures and criteria related to participation in the previous ACE notices remain in effect unless otherwise explicitly changed by this or subsequent notices published in the **Federal Register**.

I. Authorization for the Test

The Customs Modernization Act provides the Commissioner of CBP with authority to conduct limited test programs or procedures designed to evaluate planned components of the NCAP. This test is authorized pursuant to section 101.9(b) of title 19 of the Code of Federal Regulations (19 CFR 101.9(b)) which provides for the testing of NCAP programs or procedures. *See* Treasury Decision (T.D.) 95–21.

II. Partner Government Agency Message Set for Four Transportation Modes

This document announces CBP’s plan to expand the PGA Message Set to allow submission of certain data, which PGAs require, for informal and formal consumption entries arriving by air, ocean, rail, or truck mode of transportation.

At this time, a limited number of ports will be accepting PGA Message Set data. A list of those ports is provided on the following Web site: <http://www.cbp.gov/document/guidance/list-aceitds-pga-message-set-pilot-ports>. Those ports will accept PGA Message Set data for entries arriving by air, ocean, rail, or truck mode of transportation.

CBP may expand this test to include additional ports in the future. CBP may also expand the commodities that are within the scope of the test, as indicated by the Harmonized Tariff Schedule (HTS) codes, on the following Web site: <http://www.cbp.gov/trade/ace/catair#field-content-tab-group-tab-4>. Test participants should monitor the Web site for updates to the list of ports accepting PGA Message Set data and the list of HTS codes covered by the test.

III. The National Highway Traffic Safety Administration (NHTSA)

In addition, this document announces CBP's plan to expand the PGA Message Set test to include electronic filings of the NHTSA PGA Message Set for the importation of motor vehicles and motor vehicle equipment items.

NHTSA is responsible for implementing and enforcing the National Traffic and Motor Vehicle Safety Act of 1966, as amended, codified at 49 U.S.C. Chapter 301 (49 U.S.C. 30101 *et seq.*). Under its authority, NHTSA issues and enforces the Federal motor vehicle safety standards ("FMVSS"), which apply to motor vehicles and certain items of motor vehicle equipment. Section 30112(a)(1) of Title 49 U.S.C. contains a general prohibition on, among other things, importing into the United States motor vehicles or motor vehicle equipment items that do not comply with all applicable FMVSS and that are not covered by a certification issued under 49 U.S.C. 30115. Under 49 CFR 591.5, any person offering a motor vehicle or item of motor vehicle equipment for importation into the United States must file a declaration. This declaration is known as the DOT HS-7 Declaration Form. Under its parallel regulation at 19 CFR 12.80, CBP requires that a declaration be filed in duplicate for motor vehicles or motor vehicle equipment items. In practice, importers or brokers file the HS-7 Declaration Form and supporting documents for these products. The DOT HS-7 Declaration Form, the form's supporting documents, and NHTSA's regulations require the identification of parties associated with the entry of the products that are presented for importation, as well as information on the identity of imported motor vehicles and motor vehicle equipment items.

Importers of motor vehicles or motor vehicle equipment items are required to file a HS-7 Declaration Form and supporting documents with CBP at the time of making entry. Alternatively, importers may file the HS-7 Declaration Form electronically via the Automated Broker Interface (ABI) and present the HS-7 Declaration Form's supporting documents to CBP at the time of entry. NHTSA staff may review the importer's entry information and make a determination as to whether the shipment should be released, detained, or refused. This may involve manual checking of key information against NHTSA databases. The current process is costly and inefficient because it relies on paper documents, and manual data validation and error correction. The review process can take several days during which more costs may be incurred for storage.

CBP is expanding the use of the PGA Message set to include the electronic filing of NHTSA-regulated motor vehicles and motor ve-

hicle equipment items for type “01” (consumption) and type “11” (informal) commercial entries filed at specified ports. The data elements to be filed electronically through the PGA message set are those found in the current paper form (DOT HS–7 Declaration Form), collectively the “NHTSA Vehicle/Equipment Information Collection.” Supporting documents such as the DOT conformance bond form (DOT HS–474) must be submitted electronically at any time prior to the arrival of the merchandise on the conveyance transporting the cargo to the United States via a CBP-approved Electronic Data Interchange (EDI). In a notice published in the **Federal Register** (79 FR 36083) on June 25, 2014, CBP set forth the rules for filing submissions via DIS and a list of CBP and PGA forms that may be submitted via DIS. Technical information regarding the use of DIS is available at the following Web site: <http://www.cbp.gov/trade/ace/features>.

The technical requirements for submitting the NHTSA data elements are set forth in the supplemental Customs and Trade Automated Interface Requirements (CATAIR) guidelines for NHTSA. These technical specifications, including the CATAIR chapters and applicable Harmonized Tariff Schedule of the United States (HTSUS) codes, can be found at the following link: <http://www.cbp.gov/document/guidance/national-highway-traffic-safety-administration-nhtsa-pga-message-set-manual>.

The NHTSA-required entry data will be filed electronically once through the single window for use by both NHTSA and CBP, for pre-arrival screening, using the PGA Message Set. This will eliminate separate document filings for participating importers and as a result, reduce the overall paperwork burden on the importer and the port associated with these NHTSA-regulated shipments. It will also significantly reduce the initial processing and review time for motor vehicle and motor vehicle equipment item entries, provide consistency of these reviews, and eliminate the costs of filing paper documents. The electronic filing will also allow automated checks of certain required information facilitating pre-arrival admissibility verifications, thereby focusing CBP and NHTSA resources on shipments of interest.

At this time, the test will include entries originating in the ocean, truck, rail, and air environment. Upon acceptance into this test, participants will be allowed to transmit the NHTSA data elements for entries originating in the air, ocean, rail, and truck environments, as specified in this notice. During this test, participants will collaborate with CBP and NHTSA to examine the effectiveness of the single window capability.

IV. Test Participant Responsibilities

PGA Message Set test participants will be required to:

- Transmit the NHTSA Vehicle/ Equipment Information Collection with the ports that are accepting the ACE PGA Message Set data. A current list of those ports is posted on the following Web site: <http://www.cbp.gov/document/guidance/list-aceitds-pga-message-set-pilot-ports>.
- Transmit, when applicable, the NHTSA Vehicle/Equipment Information Collection using the NHTSA PGA Message Set and the supporting documents via DIS. This information must be electronically transmitted to ACE using an ACE Entry Summary certified for cargo release at any time prior to the arrival of the merchandise on the conveyance transporting the cargo to the United States;
- Transmit the NHTSA Vehicle/ Equipment Information Collection only as part of an ACE Entry Summary certified for cargo release;
- Transmit import filings to CBP via ABI in response to a request for documentation or in response to a request for release information for certified ACE Cargo Release;
- Only transmit to CBP information that has been requested by CBP or NHTSA;
- Use a software program that has completed ACE certification testing for the PGA Message Set; and
- Take part in a CBP evaluation of this test.

Participants are reminded that they should only file documents that CBP can accept electronically. The documents CBP can accept electronically are listed under the Document Image System (DIS) tab of the ACE Features page on the Web site <http://www.cbp.gov/trade/ace/features>, and, for participants using ABI, in the PGA Message Set part of the CATAIR. When CBP cannot accept additional information electronically, the filer must file the additional information by paper. See 78 FR 75931 at 75934–35 (December 13, 2013), for information on Confidentiality (Section XIII) and Misconduct under the PGA Message Set Test (Section XIV).

V. Waiver of Regulation Under the Test

For purposes of this test, 19 CFR 12.80 will be waived for test participants only insofar as eliminating any requirement that may appear in these regulations to file a paper version of the DOT HS–7

Declaration Form or its supporting documents. In its place, test participants are required to transmit electronically the data elements contained in the DOT HS-7 Declaration Form via the PGA Message Set and the HS-7 Declaration Form's supporting documents via DIS. This document does not waive any recordkeeping requirements found in part 163 of title 19 of the CFR (19 CFR part 163) and the Appendix to part 163 (commonly known as the "(a)(1)(A) list").

VI. Eligibility Criteria

As announced in this notice, the use of the PGA Message Set test is expanding to accept DOT HS-7 Declaration Form data elements, also known as the NHTSA Vehicle/Equipment Information Collection, and supporting documents. All other eligibility criteria as specified in prior PGA Message Set test notices remain the same. To be eligible to apply for this modification of the PGA data message set test, the applicant must:

- Be a self-filing importer who has the ability to file ACE Entry Summaries certified for cargo release or a broker who has the ability to file ACE Entry Summaries certified for cargo release; and
- File entries for NHTSA-regulated commodities that are the subject of this test at the ports that are accepting PGA Message Set data.

CBP will accept an unlimited number of participants for the test. Test applicants must meet the eligibility criteria described in this document to participate in the test program.

VII. Application Process

Any party seeking to participate in the modified PGA Message Set test concerning NHTSA data should send an email message to Clint Lindsay at *Clint.Lindsay@dot.gov* or Coleman Sachs at *Coleman.Sachs@dot.gov* to request participation in the modified test. They should send a copy of that request also to their CBP Client Representative, ACE Business Office (ABO), Office of International Trade. Interested parties without an assigned client representative should submit an email to Steven Zaccaro at *steven.j.zaccaro@cbp.dhs.gov* with the subject heading "PGA Message Set NHTSA Test FRN-Request to Participate".

Emails sent to the CBP client representative or to Steven Zaccaro must include the applicant's filer code and the port(s) at which they are interested in filing the appropriate PGA Message Set information.

At this time, PGA Message Set data may be submitted only for entries filed at certain ports. A current listing of those ports may be

found on the following Web site: <http://www.cbp.gov/document/guidance/list-aceitds-pga-message-set-pilot-ports>.

Client representatives will work with test participants to provide information regarding the transmission of this data. CBP will begin to accept applications on August 10, 2015 and will continue to accept applications throughout the duration of the test. CBP will notify the selected applicants by email of their selection and the starting date of their participation. Selected participants may have different starting dates. Anyone providing incomplete information, or otherwise not meeting participation requirements, will be notified by email and given the opportunity to resubmit their application.

VIII. Test Duration

The modified test will begin no earlier than August 10, 2015 and will continue until concluded by way of announcement in the **Federal Register**. At the conclusion of the test, an evaluation will be conducted to assess the effect that the PGA Message Set has on expediting the submission of NHTSA importation-related data elements and the processing of NHTSA entries. The final results of the evaluation will be published in the **Federal Register** and the *Customs Bulletin* as required by section 101.9(b)(2) of the CBP regulations (19 CFR 101.9(b)(2)).

IX. Comments

All interested parties are invited to comment on any aspect of this test at any time. CBP requests comments and feedback on all aspects of this test, including the design, conduct, and implementation of the test, in order to determine whether to modify, alter, expand, limit, continue, end, or fully implement this program.

X. Paperwork Reduction Act

The collections of information in this test modification, DOT HS-7 Declaration Form and supporting documents have been reviewed by OMB in accordance with the requirements of the Paperwork Reduction Act (44 U.S.C. 3507) under control number 2127-0002. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

XI. Confidentiality

Data submitted and entered into the ACE Portal includes information that is exempt or restricted from disclosure by law, such as by the Trade Secrets Act (18 U.S.C. 1905). As stated in previous notices, participation in this or any of the previous ACE tests is not confiden-

tial and upon a written Freedom of Information Act (FOIA) request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552.

XII. Misconduct Under the Test

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

- Failure to follow the terms and conditions of this test.
- Failure to exercise reasonable care in the execution of participant obligations.
- Failure to abide by applicable laws and regulations that have not been waived.
- Failure to deposit duties or fees in a timely manner.

If the Director, Business Transformation, ACE Business Office (ABO), Office of International Trade finds that there is a basis for discontinuance of test participation privileges, the test participant will be provided a written notice proposing the discontinuance with a description of the facts or conduct warranting the action. The test participant will be offered the opportunity to appeal the Director's decision in writing within 10 calendar days of receipt of the written notice. The appeal must be submitted to Acting Executive Director, ABO, Office of International Trade by emailing *Deborah.Augustin@cbp.dhs.gov*.

The Acting Executive Director will issue a decision in writing on the proposed action within 30 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the proposed notice becomes the final decision of the Agency as of the date that the appeal period expires. A proposed discontinuance of a test participant's privileges will not take effect unless the appeal process under this paragraph has been concluded with a written decision adverse to the test participant.

In the case of willfulness or those in which public health, interest, or safety so requires, the Director, Business Transformation, ABO, Office of International Trade, may immediately discontinue the test participant's privileges upon written notice to the test participant. The notice will contain a description of the facts or conduct warranting the immediate action. The test participant will be offered the opportunity to appeal the Director's decision within 10 calendar days

of receipt of the written notice providing for immediate discontinuance. The appeal must be submitted to Acting Executive Director, ABO, Office of International Trade by emailing *Deborah.Augustin@cbp.dhs.gov*. The immediate discontinuance will remain in effect during the appeal period. The Executive Director will issue a decision in writing on the discontinuance within 15 working days after receiving a timely filed appeal from the test participant. If no timely appeal is received, the notice becomes the final decision of the Agency as of the date that the appeal period expires.

XIII. List of PGA Programs Accepting Data Through the ACE PGA Message Set Test

- Environmental Protection Agency (EPA) Ozone Depleting Substances (ODS) program data.
- EPA Vehicle and Engine (V&E) program data.
- EPA Notice of Arrival of Pesticides and Devices (NOA—EPA Form 3540–1) data.
- U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS), meat, poultry, and egg products data.
- U.S. Department of Transportation (DOT), National Highway Traffic Safety Administration (NHTSA), motor vehicle or motor vehicle equipment declaration (DOT HS–7 Declaration) data.

More information regarding requirements for PGA Information in ACE and Methods for Submissions is available on this Web site: <http://www.cbp.gov/trade/ace/features>. Select “PGA Integration” tab and click “November 1 PGA Forms List.”

XIV. Development of ACE Prototypes

A chronological listing of **Federal Register** publications detailing ACE test developments is set forth below.

- ACE Portal Accounts and Subsequent Revision Notices: 67 FR 21800 (May 1, 2002); 69 FR 5360 and 69 FR 5362 (February 4, 2004); 69 FR 54302 (September 8, 2004); 70 FR 5199 (February 1, 2005).
- ACE System of Records Notice: 71 FR 3109 (January 19, 2006).
- Terms/Conditions for Access to the ACE Portal and Subsequent Revisions: 72 FR 27632 (May 16, 2007); 73 FR 38464 (July 7, 2008).

- ACE Non-Portal Accounts and Related Notice: 70 FR 61466 (October 24, 2005); 71 FR 15756 (March 29, 2006).
- ACE Entry Summary, Accounts and Revenue (ESAR I) Capabilities: 72 FR 59105 (October 18, 2007).
- ACE Entry Summary, Accounts and Revenue (ESAR II) Capabilities: 73 FR 50337 (August 26, 2008); 74 FR 9826 (March 6, 2009).
- ACE Entry Summary, Accounts and Revenue (ESAR III) Capabilities: 74 FR 69129 (December 30, 2009).
- ACE Entry Summary, Accounts and Revenue (ESAR IV) Capabilities: 76 FR 37136 (June 24, 2011).
- Post-Entry Amendment (PEA) Processing Test: 76 FR 37136 (June 24, 2011).
- ACE Announcement of a New Start Date for the National Customs Automation Program Test of Automated Manifest Capabilities for Ocean and Rail Carriers: 76 FR 42721 (July 19, 2011).
- ACE Simplified Entry: 76 FR 69755 (November 9, 2011).
- National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS): 77 FR 20835 (April 6, 2012).
- National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Simplified Entry: Modification of Participant Selection Criteria and Application Process: 77 FR 48527 (August 14, 2012).
- Modification of NCAP Test Regarding Reconciliation for Filing Certain Post-Importation Preferential Tariff Treatment Claims under Certain FTAs: 78 FR 27984 (May 13, 2013).
- Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE), 78 FR 44142 (July 23, 2013).
- Modification of Two National Customs Automation Program (NCAP) Tests Concerning Automated Commercial Environment (ACE) Document Image System (DIS) and Simplified Entry (SE); Correction; 78 FR 53466 (August 29, 2013).

- Modification of NCAP Test Concerning Automated Commercial Environment (ACE) Cargo Release (formerly known as Simplified Entry): 78 FR 66039 (November 4, 2013).
- Post-Summary Corrections to Entry Summaries Filed in ACE Pursuant to the ESAR IV Test: Modifications and Clarifications: 78 FR 69434 (November 19, 2013).
- National Customs Automation Program (NCAP) Test Concerning the Submission of Certain Data Required by the Environmental Protection Agency and the Food Safety and Inspection Service Using the Partner Government Agency Message Set Through the Automated Commercial Environment (ACE): 78 FR 75931 (December 13, 2013).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Ocean and Rail Carriers: 79 FR 6210 (February 3, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release To Allow Importers and Brokers To Certify From ACE Entry Summary: 79 FR 24744 (May 1, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Cargo Release for Truck Carriers: 79 FR 25142 (May 2, 2014).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment Document Image System: 79 FR 36083 (June 25, 2014).
- Announcement of eBond Test: 79 FR 70881 (November 28, 2014).
- eBond Test Modifications and Clarifications: Continuous Bond Executed Prior to or Outside the eBond Test May Be Converted to an eBond by the Surety and Principal, Termination of an eBond, Identification of Principal on an eBond by Filing Identification Number, and Email Address Correction: 80 FR 899 (January 7, 2015).
- Modification of National Customs Automation Program (NCAP) Test Concerning Automated Commercial Environment (ACE) Document Image System Relating to Animal and Plant Health Inspection Service (APHIS) Document Submissions: 80 FR 5126 (January 30, 2015).

- Modification of National Customs Automation Program (NCAP) Test Concerning the use of Partner Government Agency Message Set through the Automated Commercial Environment (ACE) for the Submission of Certain Data Required by the Environmental Protection Agency (EPA): 80 FR 6098 (February 4, 2015).
- Announcement of Modification of ACE Cargo Release Test to Permit the Combined Filing of Cargo Release and Importer Security Filing (ISF) Data: 80 FR 7487 (February 10, 2015).
- Modification of NCAP Test Concerning ACE Cargo Release for Type 03 Entries and Advanced Capabilities for Truck Carriers: 80 FR 16414 (March 27, 2015).
- Automated Commercial Environment (ACE) Export Manifest for Air Cargo Test: 80 FR 39790 (July 10, 2015).
- National Customs Automation Program (NCAP) Concerning Remote Location Filing Entry Procedures in the Automated Commercial Environment (ACE) and the Use of the Document Image System for the Submission of Invoices and the Use of eBonds for the Transmission of Single Transaction Bonds: 80 FR 40079 (July 13, 2015).

Dated: August 4, 2015.

BRENDA SMITH,
*Assistant Commissioner,
Office of International Trade.*

[Published in the Federal Register, August 10, 2015 (80 FR 47938)]



AGENCY INFORMATION COLLECTION ACTIVITIES:

Cargo Container and Road Vehicle Certification for Transport Under Customs Seal

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: 60-Day Notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Cargo Container and Road Vehicle for Transport under Customs Seal. CBP is proposing that this information collection

be extended with no change to the burden hours or to the Information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before October 13, 2015 to be assured of consideration.

ADDRESSES: Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Cargo Container and Road Vehicle for Transport under Customs Seal.

OMB Number: 1651-0124.

Abstract: The United States is a signatory to several international Customs conventions and is responsible for specifying the technical requirements that containers and road vehicles must meet to be acceptable for transport under Customs seal. Customs and Border Protection (CBP) has the responsibility

of collecting information for the purpose of certifying containers and vehicles for international transport under Customs seal. A certification of compliance facilitates the movement of containers and road vehicles across international territories. The procedures for obtaining a certification of a container or vehicle are set forth in 19 CFR part 115.

Action: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses.

Estimated Number of Respondents: 25.

Estimated Number of Annual Responses per Respondent: 120.

Estimated Time per Response: 3.5 hours.

Estimated Total Annual Burden Hours: 10,500.

Dated: August 5, 2015.

TRACEY DENNING,
Agency Clearance Officer,
U.S. Customs and Border Protection.

[Published in the Federal Register, August 11, 2015 (80 FR 48117)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

Canadian Border Boat Landing Permit

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 60-Day Notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Canadian Border Boat Landing Permit (CBP Form I-68). CBP is proposing that this information collection be extended with no change to the burden hours or Information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before October 9, 2015 to be assured of consideration.

ADDRESSES: Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229–1177, at 202–325–0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104–13). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Canadian Border Boat Landing Permit.

OMB Number: 1651–0108.

Form Number: CBP Form I–68.

Abstract: The Canadian Border Boat Landing Permit (CBP Form I–68) allows participants entering the United States along the northern border by small pleasure boats weighing less than 5 tons to telephonically report their arrival without having to appear in person for an inspection by a CBP officer. United States citizens, Lawful Permanent Residents of the United States, Canadian citizens, Landed Commonwealth Residents of Canada, and Landed Residents of Canada who are nationals of the Visa Waiver Program countries listed in 8 CFR 217.2(a) are eligible to participate.

The information collected on CBP Form I-68 allows people who enter the United States from Canada by small pleasure boats to be inspected only once during the boating season, rather than each time they make an entry. This information collection is provided for by 8 CFR 235.1(g) and Section 235 of Immigration and Nationality Act. CBP Form I-68 is accessible at <http://www.cbp.gov/newsroom/publications/forms?title=68&=Apply>.

Current Actions: This submission is being made to extend the expiration date with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Individuals or Households.

Estimated Number of Respondents: 68,000.

Estimated Time per Respondent: 10 minutes.

Estimated Total Annual Burden Hours: 11,288.

Estimated Annual Cost: \$1,088,000.

Dated: August 3, 2015.

TRACEY DENNING,
Agency Clearance Officer,
U.S. Customs and Border Protection.

[Published in the Federal Register, August 10, 2015 (80 FR 47937)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

Guam-CNMI Visa Waiver Information

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security

ACTION: 60-Day Notice and request for comments; extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Guam-CNMI Visa Waiver Information (CBP Form I-736). CBP is proposing that this information collection be extended with no change to the burden hours or Information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before October 9, 2015 to be assured of consideration.

ADDRESSES: Written comments may be mailed to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, at 202-325-0265.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual cost burden to respondents or record keepers from the collection of information (total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Guam-CNMI Visa Waiver Information

OMB Number: 1651-0109

Form Number: CBP Form I-736

Abstract: Public Law 110-229 provides for certain aliens to be exempt from the nonimmigrant visa requirement if seeking entry into Guam or the Commonwealth of the Northern Mariana Islands (CNMI) as a visitor for a maximum stay of 45 days, provided that no potential threat exists to the welfare, safety, or security of the United States or its territories, and other criteria are met. Upon arrival at a Guam or CNMI Port-of-Entry, each applicant for admission presents a completed I-736 to CBP. CBP

Form I-736 is provided for by 8 CFR 212.1(q) and is accessible at: <http://www.cbp.gov/newsroom/publications/forms?title=736&=Apply>.

Action: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Individuals.

Estimated Number of Respondents: 1,560,000.

Estimated Time per Respondent: 5 minutes.

Estimated Total Annual Burden Hours: 129,480.

Dated: August 5, 2015.

TRACEY DENNING,
Agency Clearance Officer,
U.S. Customs and Border Protection.

[Published in the Federal Register, August 10, 2015 (80 FR 47942)]