

U.S. Customs and Border Protection



REQUIREMENT FOR PERSONS MAKING PAYMENT BY CHECK TO CBP TO PROVIDE THEIR TAXPAYER IDENTIFYING NUMBER

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

ACTION: General Notice.

SUMMARY: This notice announces that all persons making payment to Customs and Border Protection (CBP) by check must provide their Taxpayer Identifying Number (TIN) when paying CBP. The TIN should be written on the face of the check. Providing the TIN on the face of the check will facilitate payment processing.

EFFECTIVE DATE: December 4, 2009

FOR FURTHER INFORMATION CONTACT: Nanette Voll, Office of Finance, Revenue Division, Customs and Border Protection, Tel.: (317) 614-4458.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to the *Debt Collection Improvement Act of 1996*, 31 U.S.C. 7701(c), persons “doing business” with Federal agencies, which includes persons engaging in activities that may require making payments to Customs and Border Protection (CBP), are required by law to provide their Taxpayer Identifying Number (TIN) to the agency. “Taxpayer identifying number” is defined in 31 U.S.C. 7701(a)(2) as the identifying number required under section 6109 of the Internal Revenue Code of 1986 (26 U.S.C. 6109). Section 6109(d) provides that a social security account number constitutes the taxpayer identifying number for purposes of Title 26, unless otherwise specified by the Secretary of the Treasury. It is further noted that the Internal Revenue Service regulations, at 26 CFR 301.7701-12, indicate that an employer identification number is a taxpayer identifying number for purposes of 26 U.S.C. 6109.

This notice announces that all persons making payment to the agency, by any type of check and for any amount, should include the requisite TIN, either the social security account number or employer identification number, on the face of the submitted checks. Submission of TIN data in this manner will facilitate payment processing using Paper Check Conversion Over the Counter [PCC OTC] software. PCC OTC has been used by CBP since 2006 to scan checks submitted for the payment of customs charges. The scanned images are maintained in a database by Financial Management Services, U.S. Department of the Treasury, and a legally sufficient substitute image of the check is transmitted through the banking network for payment. Inclusion of TIN on the face of all checks submitted to CBP will ensure that this data is collected and processed in a uniform and secure manner.

Dated: November 23, 2009

ELAINE KILLORAN
Acting Assistant Commissioner
Office of Finance

[Published in the Federal Register, December 4, 2009 (74 FR 63761)]



19 CFR PART 101

[Docket No. Docket No. USCBP-2008-0047]

CBP Dec. 09-35

Extension of Port Limits of Columbus, Ohio

AGENCY: Customs and Border Protection, DHS.

ACTION: Final rule.

SUMMARY: This document amends the Customs and Border Protection (CBP) regulations pertaining to CBP's field organization by extending the geographical limits of the port of Columbus, Ohio, to include the Rickenbacker Intermodal Terminal and supporting infrastructure so that it will be within the newly defined port limits. The change will make the boundaries more easily identifiable to the public. The change is part of a continuing program to more efficiently utilize CBP's personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public.

DATES: *Effective Date:* January 6, 2010.

FOR FURTHER INFORMATION CONTACT: Wendy M. Cooper, Office of Field Operations, 202-344-2057.

SUPPLEMENTARY INFORMATION:

I. Background

In a Notice of Proposed Rulemaking (NPRM) published on May 18, 2009, in the **Federal Register** (74 FR 23133), Customs and Border Protection (CBP) proposed to amend the list of CBP ports of entry at 19 CFR 101.3(b)(1) to extend the limits of the port of Columbus, Ohio, to include the Rickenbacker Intermodal Terminal and supporting infrastructure so that it will be within the newly defined port limits.

In the NPRM, CBP explained that the current port limits of the Columbus, Ohio, port of entry are described in two separate Treasury Decisions (T.D.s): T.D. 82–9, published in the **Federal Register** (47 FR 1286) on January 12, 1982 and effective February 11, 1982; and T.D. 96–67, published in the **Federal Register** (61 FR 49058) on September 18, 1996 and effective October 18, 1996.

T.D. 82–9 specified the limits as follows:

“The geographical boundaries of the Columbus, Ohio, Customs port of entry include all of the territory within the corporate limits of Columbus, Ohio; all of the territory completely surrounded by the city of Columbus; and, all of the territory enclosed by Interstate Highway 270 (outer belt), which completely surrounds the city.”

T.D. 96–67 expanded the port limits of Columbus, Ohio, to encompass the port limits set forth in T.D. 82–9 as well as the following territory:

“Beginning at the intersection of Rohr and Lockbourne Roads, then proceeding southerly along Lockbourne Road to Commerce Street, thence easterly along Commerce Street to its intersection with the N & W railroad tracks, then southerly along the N & W railroad tracks to the Franklin-Pickaway County line, thence easterly along the Franklin-Pickaway County line to its intersection with Pontius Road, then northerly along Pontius Road to its intersection with Rohr Road, thence westerly along Rohr Road to its intersection with Lockbourne Road, the point of beginning, all within the County of Franklin, State of Ohio.”

CBP further explained in the NPRM that the Columbus Regional Airport Authority has partnered with the Norfolk Southern Corporation to create an intermodal facility immediately adjacent to Rickenbacker International Airport. In the NPRM, CBP stated that the creation of the new Rickenbacker Intermodal Terminal is an important part of the Columbus Regional Airport Authority’s plan to address a capacity problem at current facilities in the area. The terminal is located to the south of the current port boundaries.

In order to accommodate the new facility and supporting infrastructure so that it falls within the newly defined port limits, the NPRM

proposed to amend the port limits of the port of Columbus, Ohio. In the NPRM, CBP explained that this change will make the port boundaries more easily identifiable to the public and will result in better service that is provided by the port to the public by addressing a capacity problem at current facilities in the area. CBP determined that the change will not require a change in the staffing or workload at the port.

Interested parties were given until July 17, 2009, to comment on the proposed changes. No comments were received in response to the notice. Accordingly, CBP has determined to adopt the proposal as set forth in the NPRM published in the **Federal Register** (74 FR 23133) on May 18, 2009.

II. Conclusion

CBP is extending the geographical limits of the port of Columbus, Ohio. CBP believes that extending the geographical limits of the port of Columbus, Ohio to include the Rickenbacker Intermodal Terminal and supporting infrastructure will enable CBP to more efficiently utilize its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public. The port of entry description of Columbus, Ohio, will be revised as proposed in the NPRM.

III. Port Description of Columbus, Ohio

The port limits of Columbus, Ohio, which are expanded to include the Rickenbacker Intermodal Terminal and supporting infrastructure, encompass the port limits set forth in T.D. 82–9 and T.D. 96–67 and are as follows: The geographical boundaries of the Columbus, Ohio, port of entry include all of Franklin County, and that part of Pickaway County east of U.S. Route 23 and north of State Route 752, all in the State of Ohio.

IV. Authority

This change is made under the authority of 5 U.S.C. 301; 19 U.S.C. 2, 66, and 1624; and section 403 of the Homeland Security Act of 2002, Pub. L. 107–296, 116 Stat. 2178 (Nov. 25, 2002) (6 U.S.C. 203).

V. Statutory and Regulatory Reviews

A. Executive Order 12866: Regulatory Planning and Review

This rule is not considered to be an economically significant regulatory action under Executive Order 12866, because it will not result in the expenditure of over \$100 million in any one year. The change is intended to expand the geographical boundaries of the Port of Colum-

bus, Ohio, and make it more easily identifiable to the public. There are no new costs to the public associated with this rule. Accordingly, this rule has not been reviewed by the Office of Management and Budget (OMB) under Executive Order 12866.

B. Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires federal agencies to examine the impact a rule would have on small entities. A small entity may be a small business (defined as any independently owned and operated business not dominant in its field that qualifies as a small business per the Small Business Act); a small not-for-profit organization; or a small governmental jurisdiction (locality with fewer than 50,000 people).

This rule does not directly regulate small entities. The change is part of CBP's continuing program to more efficiently utilize its personnel, facilities, and resources, and to provide better service to carriers, importers, and the general public. To the extent that all entities are able to more efficiently or conveniently access the facilities and resources within the expanded geographical area of the new port limits, this rule should confer benefits to CBP, carriers, importers, and the general public.

Because this rule does not directly regulate small entities, CBP certifies that this rule does not have a significant economic impact on a substantial number of small entities.

VI. Signing Authority

The signing authority for this document falls under 19 CFR 0.2(a) because the port extension is not within the bounds of those regulations for which the Secretary of the Treasury has retained sole authority. Accordingly, this final rule is signed by the Secretary of Homeland Security.

List of Subjects in 19 CFR Part 101

Customs duties and inspection, Customs ports of entry, Exports, Imports, Organization and functions (Government agencies).

Amendments to CBP Regulations

For the reasons set forth above, part 101, CBP Regulations (19 CFR part 101), is amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 and the specific authority citation for section 101.3 continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a. Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

* * * * *

§ 101.3 [Amended]

2. The list of ports in § 101.3(b)(1) is amended by removing from the “Limits of Port” column for Columbus, Ohio, the present limits description “Including territory described in T.D. 96–67” and adding “CBP Dec. 09–35” in its place.

Dated: December 2, 2009

JANET NAPOLITANO
Secretary

[Published in the Federal Register, December 7, 2009 (74 FR 63980)]



19 CFR PART 101
[CBP Dec. 09–45]

**Technical Amendments to List of CBP Preclearance Offices
in Foreign Countries: Addition of Halifax, Canada and
Shannon, Ireland.**

AGENCY: Customs and Border Protection, DHS.

ACTION: Final rule; technical amendments

SUMMARY: This document amends title 19 of the Code of Federal Regulations (CFR) to reflect that U.S. Customs and Border Protection (CBP) has added preclearance stations in Halifax, Canada and Shannon, Ireland. CBP officers at preclearance stations conduct inspections and examinations to ensure compliance with U.S. customs, immigration, and agriculture laws, as well as other laws enforced by CBP at the U.S. border. Such inspections and examinations prior to arrival in the United States generally enable passengers to exit the domestic terminal or connect directly to a U.S. domestic flight without undergoing further CBP processing.

EFFECTIVE DATE: December 8, 2009

FOR FURTHER INFORMATION CONTACT: Kathleen Conway, Office of Field Operations, Preclearance Operations, (202) 344–1759.

SUPPLEMENTARY INFORMATION:**Background**

CBP preclearance operations have been in existence since 1952. Preclearance facilities are established through the cooperative efforts of CBP, foreign government representatives, and the local airport authorities and are evidenced with signed preclearance agreements. Each facility is staffed with CBP officers responsible for conducting inspections and examinations in connection with preclearing passengers bound for the United States. Generally, passengers who are inspected at a preclearance facility are permitted to arrive at a U.S. domestic facility and exit the U.S. domestic terminal upon arrival or connect directly to a U.S. domestic flight without further CBP processing. Preclearance facilities primarily serve to facilitate low risk passengers, relieve passenger congestion at Federal inspection facilities in the United States, and enhance security in the air environment through the screening and inspection of passengers prior to their arrival in the United States. In Fiscal Year 2008, over 14.9 million passengers were processed at preclearance locations. This figure represents more than 15 percent of all commercial air passengers cleared by CBP in 2008.

The Agreement on Air Transport Preclearance Between the Government of the United States of America and the Government of Canada was signed on January 18, 2001. Preclearance operations began in Halifax, Canada on October 4, 2006. The Halifax preclearance station is open for use by commercial flights.

The Agreement Between the Government of the United States of America and the Government of Ireland on Air Transport Preclearance was signed on November 17, 2008. Preclearance operations began in Shannon, Ireland on August 5, 2009. The Shannon preclearance station is open for use by commercial flights.

Section 101.5 of the CBP regulations (19 CFR 101.5) sets forth a list of CBP preclearance offices in foreign countries. This document amends this section to add Halifax, Canada and Shannon, Ireland to the list of preclearance offices, and to reflect the nomenclature changes made necessary by the transfer of the legacy U.S. Customs Service of the Department of the Treasury to the Department of Homeland Security (DHS) and DHS' subsequent renaming of the agency as U.S. Customs and Border Protection (CBP) on March 31, 2007 (*see* 72 FR 20131, dated April 23, 2007).

INAPPLICABILITY OF PUBLIC NOTICE AND DELAYED EFFECTIVE DATE REQUIREMENTS

This amendment reflects the addition of two new CBP preclearance offices that were established through signed agreements between the United States and the respective host nation. Accordingly, pursuant to 5 U.S.C. 553(b)(3)(B), notice and public procedure are unnecessary. For the same reason, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

THE REGULATORY FLEXIBILITY ACT AND EXECUTIVE ORDER 12866

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) do not apply. This amendment does not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866.

SIGNING AUTHORITY

This document is being issued in accordance with 19 CFR 0.2(a).

LIST OF SUBJECTS IN 19 CFR PART 101

Customs duties and inspection, Customs ports of entry, Foreign trade statistics, Imports, Organization and functions (Government agencies), Shipments, Vessels.

AMENDMENTS TO REGULATIONS

For the reasons set forth above, Part 101 of the Code of Federal Regulations (19 CFR part 101), is amended as set forth below.

PART 101—GENERAL PROVISIONS

1. The general authority citation for part 101 and the specific authority citation for section 101.5 continue to read as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

* * * * *

Section 101.5 also issued under 19 U.S.C. 1629.

* * * * *

2. Revise §101.5 to read as follows:

§ 101.5 CBP preclearance offices in foreign countries.

Listed below are the preclearance offices in foreign countries where CBP officers are located. A Director, Preclearance, located in the Office of Field Operations at CBP Headquarters, is the responsible

CBP officer exercising supervisory control over all preclearance offices.

Country	CBP office
Aruba	Orangestad
The Bahamas	Freeport Nassau
Bermuda	Kindley Field
Canada	Calgary, Alberta Edmonton, Alberta Halifax, Nova Scotia Montreal, Quebec Ottawa, Ontario Toronto, Ontario Vancouver, British Columbia Winnipeg, Manitoba
Ireland	Shannon

Dated: December 3, 2009

JAYSON P. AHERN
Acting Commissioner
U.S. Customs and Border Protection

[Published in the Federal Register, December 8, 2009 (74 FR 64601)]

GENERAL NOTICE
Copyright, Trademark, and Trade Name Recordations

(No. 9 2009)

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

SUMMARY: Presented herein are the copyrights, trademarks, and trade names recorded with U.S. Customs and Border Protection during the month of November 2009. The last notice was published in the CUSTOMS BULLETIN on November 19, 2009.

Corrections or updates may be sent to: Department of Homeland Security, U.S. Customs and Border Protection, Office of Regulations and Rulings, IPR Branch, 1300 Pennsylvania Avenue, N.W., Mail Stop 1179, Washington, D.C. 20229-1179

FOR FURTHER INFORMATION CONTACT: Delois Johnson, Paralegal, Intellectual Property Rights Branch, (202) 325-0088.

Dated: December 3, 2009

CHARLES R. STEUART
Chief,
Intellectual Property Rights &
Restricted Merchandise Branch

Attachment:

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 06-00405	11/28/2009	9/28/2019	WAVE MIXER IN LOGO	GE HEALTHCARE BIOSCIENCE BIOPROCESS CORP.	No
TMK 05-00792	11/28/2009	9/21/2019	RENSHENWANGJIANG AND DESIGN	CHUNG INC. DBA SURPERIOR TRADING CO.	No
TMK 05-01031	11/13/2009	10/24/2019	DESIGN OF ANIMAL/CAT HEAD	JAGUAR CARS LIMITED	No
TMK 06-00154	11/28/2009	19/10/2019	RONSON	RONSON CORPORATION	No
TMK 06-00528	11/28/2009	10/12/2019	WAVE BIOREACTOR IN LOGO	GE HEALTHCARE BIOSCIENCE BIOPROCESS CORP.	No
TMK 06-01162	11/28/2009	6/4/2015	O'NEILL	SISCO TEXTILES NV	No
TMK 00-00370	11/28/2009	10/6/2019	SEIKO	SEIKO HOLDINGS KABUSHIKI KAISHA	No
TMK 00-00253	11/28/2009	9/7/2019	DRS & DESIGN	DRS TECHNOLOGIES, INC.	No
TMK 00-00255	11/28/2009	6/15/2019	DRS TECHNOLOGIES & DESIGN	DRS TECHNOLOGIES, INC.	No
TMK 00-00314	11/28/2009	11/2/2019	EXPRESS	EXPRESSCO, INC.	No
TMK 01-00174	11/28/2009	4/11/2020	RB ROYAL	RB ROYAL INDUSTRIES INC.	No
TMK 01-00591	11/28/2009	7/25/2020	STUSSY	STUSSY, INC.	No
TMK 02-00524	11/28/2009	2/22/2020	HUGS & KISSES	HERSHEY CHO. & CONF. CORP.	No
TMK 02-00715	11/13/2009	10/19/2019	BILL BLASS	BILL BLASS GROUP, LLC.	No
TMK 03-00120	11/28/2009	12/17/2012	BIONICLE	LEGO JURIS A/S	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 02-00776	11/13/2009	8/27/2019	BURBERRY	BURBERRY LIMITED	No
TMK 03-00135	11/28/2009	10/12/2019	CHROME HEARTS PLUS DAGGER DESIGN	CHROME HEARTS, INC.	No
TMK 03-00323	11/13/2009	10/12/2019	BOMBAY SAPPHIRE AND DESIGN	BACARDI & COMPANY LIMITED	No
TMK 03-00177	11/28/2009	10/3/2019	ESPIRT	ESPIRIT IP LIMITED	No
TMK 03-00572	11/28/2009	11/23/2019	TOP AND DESIGN	TOP TOBACCO L.P.	No
TMK 04-00632	11/28/2009	1/25/2014	TOWNE	IP HOLDINGS LLC	No
TMK 05-00701	11/13/2009	8/6/2019	BURBERRYS	BURBERRY LIMITED	No
TMK 09-01078	11/28/2009	9/15/2019	ORTHOLITE	02 PARTNERS, LLC	No
TMK 09-01076	11/13/2009	4/22/2018	MANASTIRKA	PROKUPAC AD	No
TMK 06-00887	11/13/2009	8/15/2019	PEACHES UNIFORMS & DESIGN	PEACHES UNIFORMS, INC.	No
TMK 07-00168	11/13/2009	11/16/2019	CHROME HEARTS AND DESIGN	CHROME HEARTS, LLC	No
TMK 02-00050	11/28/2009	5/13/2017	LEGO AND DESIGN	LEGO JURIS A/S	No
TMK 07-00570	11/13/2009	3/28/2020	ADVANTEX	DETEX CORPORATION	No
TMK 07-00572	11/13/2009	10/5/2019	NORDISKA	GENEVA INTERNATIONAL CORPORATION	No
TMK 08-00672	11/13/2009	10/5/2019	JACKPOT PARTY	WMS GAMING INC.	No
TMK 08-00565	11/13/2009	9/5/2019	MICROCHIP AND DESIGN	MICROCHIP TECHNOLOGY INCORPORATED	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 01-00539	11/28/2009	2/15/2020	STOLICHNAYA AND DESIGN	SPIRITS INTERNATIONAL B.V.	No
TMK 08-00568	11/13/2009	8/24/2019	MPLAB	MICROCHIP TECHNOLOGY INCORPORATED	No
TMK 96-00421	11/28/2009	11/14/2019	H. K. PORTER	COOPER BRANDS, INC.	No
TMK 96-00221	11/13/2009	12/9/2015	LEGO	LEGO JURIS A/S	No
TMK 02-00486	11/28/2009	9/29/2011	LONDON FOG TOWER DESIGN	IP HOLDINGS LLC	No
TMK 03-00024	11/13/2009	9/26/2019	SD (STYLIZED)	PADRES L.P.	No
TMK 09-01041	11/5/2009	4/14/2019	TYZEKA	NOVARTIS AG	No
TMK 09-01049	11/5/2009	5/5/2018	TOBI	NOVARTIS VACCINES AND DIAGNOSTICS, INC	No
TMK 09-01042	11/5/2009	5/6/2013	ENABLEX	NOVARTIS INTERNATIONAL PHARMACEUTICAL LTD.	No
TMK 09-01052	11/5/2009	1/28/2018	LOOFA DOG	MULTIPET INTERNATIONAL INC	No
TMK 09-01045	11/5/2009	11/11/2017	EXELON	NOVARTIS AG	No
TMK 09-01047	11/5/2009	1/31/2014	CLOZARIL	NOVARTIS AG	No
TMK 09-01046	11/5/2009	9/25/2017	CELTURA	NOVARTIS VACCINE & DIAGNOSTICS GMBH & CO. KG	No
TMK 09-01085	11/30/2009	10/20/2019	HEALTHCALL	HEALTHCALL, LLC	No
TMK 09-01044	11/5/2009	10/28/2018	CHANTELLE DES VINS	MERAUD INCORPORATED	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 09-01043	11/5/2009	11/1/2015	BASICS	COLART AMERICAS, INC	No
TMK 90-00514	11/13/2009	8/1/2019	MINNESOTA TWINS AND DESIGN	MINNESOTA TWINS LLC	No
TMK 09-01039	11/5/2009	4/2/2011	LESCOL	NOVARTIS AG	No
TMK 09-01040	11/5/2009	5/23/2015	NEORAL	NOVARTIS AG	No
TMK 09-01048	11/5/2009	12/12/2016	FOCETRIA	NOVARTIS AG	No
TMK 09-01050	11/5/2009	4/14/2019	RECLAST	NOVARTIS AG	No
TMK 09-01051	11/5/2009	9/18/2011	MYFORTIC	NOVARTIS AG	No
COP 09-00255	11/5/2009	11/5/2029	IRON MAN MOVIE STYLE GUIDE.	MVL FILM FINANCE LLC	No
COP 09-00256	11/5/2009	11/5/2029	WOLVERINE AND THE X-MEN ANI-MATED SERIES STYLE GUIDE.	MARVEL CHARACTERS, INC	No
TMK 04-00243	11/13/2009	7/24/2019	DESIGN	GUCCI AMERICA, INC.	No
TMK 89-00646	11/13/2009	9/9/2019	GUCCI	GUCCI AMERICA, INC.	No
TMK 05-00440	11/13/2009	10/17/2019	M (STYLIZED)	THE BASEBALL CLUB OF SEATTLE LP	No
TMK 09-01035	11/5/2009	7/26/2015	FOCALIN	NOVARTIS AG	No
TMK 03-00238	11/13/2009	6/27/2019	GUND	ENESCO, LLC	No
TMK 09-01033	11/5/2009	5/26/2019	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01032	11/5/2009	11/28/2015	LOTREL	NOVARTIS CORPORATION	No
TMK 09-01031	11/5/2009	11/22/2019	RITALIN	NOVARTIS CORPORATION	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
COP 09-00254	11/5/2009	11/5/2029	SPIDER SENSE SPIDER-MAN STYLE GUIDE 2009.	MARVEL CHARACTERS, INC. ADDRESS: 9242 BEVERLY BLVD., SUITE 350, BEVERLY HILLS, CA, 90210, UNITED STATES.	No
TMK 09-01037	11/5/2009	8/25/2019	DESIGN (WII REMOTE)	NINTENDO OF AMERICA INC	No
TMK 09-01036	11/5/2009	8/25/2019	DESIGN	NINTENDO OF AMERICA INC	No
TMK 00-00256	11/28/2009	2/1/2020	DRS TECHNOLOGIES	DRS TECHNOLOGIES, INC	No
TMK 09-01034	11/5/2009	10/13/2019	CC	COACH SERVICES, INC.	No
TMK 09-01024	11/5/2009	10/6/2019	TRUST BUT VERIFY	VERITAINER CORPORATION	No
TMK 00-00254	11/28/2009	7/27/2019	DRS TECHNOLOGIES	DRS TECHNOLOGIES, INC.	No
TMK 09-01089	11/30/2009	12/23/2013	MESSAGE MOUSE	ERIC YE CHEN	No
TMK 09-01087	11/30/2009	11/10/2019	INNOVATIVE LOGICAL CONTROLS HVAC/R SIMPLIFIED USING PLC CONTROLS	INNOVATIVE LOGICAL CONTROLS, LLC	No
TMK 09-01088	11/30/2009	11/20/2017	MESSAGEXP	CHEN, ERIC YE	No
TMK 09-01038	11/5/2009	12/30/2017	LUMI NOX AND DESIGN	LUMONDI, INC.	No
TMK 03-00725	11/13/2009	10/3/2019	WORLD SERIES	OFFICE OF THE COMMISSIONER OF BASEBALL	No
COP 09-00257	11/5/2009	11/5/2029	LOOFA DOG	MULTIPET INTERNATIONAL, INC.	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 09-01030	11/5/2009	4/10/2011	ELIDEL	NOVARTIS AG	No
TMK 07-00434	11/13/2009	6/12/2020	DESIGN ONLY	THE GARDEN COMPANY LIMITED	No
TMK 02-00504	11/28/2009	7/10/2020	LASER II	MALHOTRA SHAVING PRODUCTS LTD.	No
TMK 09-01028	11/5/2009	4/29/2018	SUPER HERO SQUAD	MARVEL CHARACTERS, INC.	No
TMK 09-01025	11/5/2009	4/10/2014	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01026	11/5/2009	12/17/2017	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01027	11/5/2009	9/6/2018	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01029	11/5/2009	8/24/2013	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01018	11/5/2009	5/30/2019	STANLEY	STANLEY LOGISTICS LLC	No
TMK 09-01019	11/5/2009	4/13/2015	TEGRETOL	NOVARTIS CORPORATION	No
TMK 00-00252	11/28/2009	12/14/2019	DRS	DIAGNOSTIC/RETRIEVAL SYSTEMS, INC	No
TMK 02-00773	11/13/2009	7/14/2019	'ALKERAN'	SMITHKLINE BEECHAM CORPORATION	No
TMK 09-01020	11/5/2009	7/10/2014	ESTRADERM	NOVARTIS CORPORATION	No
TMK 09-01021	11/5/2009	4/10/2014	SANDIMMUNE	NOVARTIS AG	No
TMK 09-01023	11/5/2009	11/12/2016	GENTEAL	NOVARTIS CORPORATION	No
TMK 09-01075	11/13/2009	5/27/2018	FUNSPLASHERS	LANARD TOYS LIMITED	No
TMK 06-00411	11/13/2009	8/1/2019	METS	STERLING METS, L.P.	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 01-00614	11/28/2009	11/30/2019	RADIA	RADIA INC., P.S.	No
TMK 09-01084	11/30/2009	12/30/2017	SNAP CRACKLE POP	KELLOGG NORTH AMERICA COMPANY	No
TMK 09-01080	11/30/2009	3/27/2017	SNAP! CRACKLE! POP!	KELLOGG NORTH AMERICA COMPANY	No
TMK 09-01083	11/30/2009	1/14/2017	TOUCAN SAM	KELLOGG NORTH AMERICA COMPANY	No
TMK 09-01082	11/30/2009	6/11/2016	DESIGN (PARROT)	KELLOGG NORTH AMERICA COMPANY	No
TMK 09-01022	11/5/2009	12/5/2016	VIVELLE-DOT	NOVARTIS AG	No
TMK 09-01071	11/13/2009	6/9/2019	AMERICAN EAGLE	RETAIL ROYALTY COMPANY	No
TMK 09-01077	11/28/2009	9/1/2019	BERTRAM	BERTRAM HOLDING COMPANY INC.	No
TMK 09-01074	11/13/2009	9/22/2019	RCC WESTERN STORES	RCC WESTERN STORES, INC.	No
COP 09-00260	11/13/2009	11/13/2029	HEELTASTIC PACKAGING.	TELEBRANDS CORP.	No
TMK 09-01070	11/13/2009	12/4/2011	GLUE DOTS	GLUE DOTS INTERNATIONAL, LLC	No
TMK 09-01067	11/13/2009	2/3/2014	GLUE DOTS	GLUE DOTS INTERNATINOAL, LLC	No
TMK 09-01081	11/30/2009	6/22/2019	DESIGN (CHECKERED PATTERN)	LOUIS VUITTON MALLETIER	No
TMK 09-01072	11/13/2009	6/16/2019	AEO	RETAIL ROYALTY CUMPANY	No
TMK 09-01073	11/13/2009	4/29/2018	AERIE	RETAIL ROYALTY COMPANY	No
COP 09-00258	11/5/2009	11/5/2029	THE AMAZING SPIDER-MAN STYLE GUIDE 2005	MARVEL CHARACTERS, INC.	No
TMK 09-01055	11/13/2009	2/20/2017	KEL KROYDON	THOMAS P MIRISOLA	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 09-01056	11/13/2009	8/5/2018	ORIS	ORIS HOLDING AG	No
TMK 09-01054	11/13/2009	8/25/2019	77KIDS BY AMERICAN EAGLE	RETAIL ROYALTY COMPANY	No
TMK 09-01057	11/13/2009	10/17/2016	GLUE DOTS	GLUE DOTS INTERNATIONAL, LLC	No
TMK 91-00022	11/13/2009	8/9/2019	BULOVA	BULOVA CORPORATION	No
TMK 09-01090	11/30/2009	9/25/2017	KWA	BLUE-J INTERNATIONAL, INC.	No
TMK 09-01091	11/30/2009	2/17/2019	DESIGN (CHECKERED PATTERN)	LOUIS VUITTON MALLETIER	No
TMK 09-01095	11/30/2009	12/6/2015	DESIGN (FLOWER IN A CIRCLE)	LOUIS VUITTON MALLETIER	No
TMK 09-01098	11/30/2009	1/24/2016	DESIGN (FLOWER IN A RHOMBUS DESIGN)	LOUIS VUITTON MALLETIER	No
TMK 09-01093	11/30/2009	11/13/2010	QUALCOMM	QUALCOMM INCORPORATED	No
TMK 09-01099	11/30/2009	9/8/2019	BIOSILK	FAROUK SYSTEMS, INC.	No
TMK 09-01097	11/30/2009	7/1/2013	IDEAL	IDEAL TAPE CO., INC.	No
TMK 09-01092	11/30/2009	9/2/2018	MORNINGSTAR	KELLOGG NORTH AMERICA COMPANY	No
TMK 03-00680	11/28/2009	8/21/2019	ACTIVATOR	ACTIVATOR METHODS INTERNATIONAL, LTD.	No
TMK 09-01096	11/30/2009	3/23/2014	DESIGN (CHINESE CHARACTERS)	EU YAN SANG INTERNATIONAL LTD	No
TMK 09-01086	11/30/2009	7/7/2018	BURTS BEES	BURT'S BEES INC	No
TMK 09-01069	11/13/2009	5/19/2018	DESIGN	FABRICA DE JABON LA CORONA, S.A. DE C.V.	No

CBP IPR RECORDATION — NOVEMBER 2009

Recordation No.	Effective Date	Expiration Date	Name of Cop/Tmk/Tnm	Owner Name	GM Restricted
TMK 09-01058	11/13/2009	3/11/2013	DESIGN	OWENS CORNING INTELLECTUAL CAPITAL LLC	No
TMK 03-00398	11/28/2009	8/22/2019	GAS	MG OVERSEAS LTD.	No
COP 09-00259	11/13/2009	11/13/2029	TOY WATER GUN APS SUPER COBRA 2	LANARD TOYS LIMITED	No
TMK 09-01059	11/13/2009	12/27/2015	AMERICAN EAGLE	RETAIL ROYALTY COMPANY	No
TMK 09-01061	11/13/2009	8/25/2019	DESIGN	RETAIL ROYALTY COMPANY	No
TMK 09-01100	11/30/2009	11/17/2019	BLUE 2	SOLO INCORPORATED	No
TMK 09-01060	11/13/2009	7/28/2019	DESIGN (STYLIZED FLYING BIRD)	RETAIL ROYALTY COMPANY	No
TMK 09-01062	11/13/2009	4/21/2019	AERIE	RETAIL ROYALTY COMPANY	No
TMK 09-01094	11/30/2009	11/29/2015	DESIGN (FLOWER)	LOUIS VUITTON MALLETIER	No
TMK 09-01063	11/13/2009	3/3/2019	AERIE	RETAIL ROYALTY COMPANY	No
TMK 09-01064	11/13/2009	8/25/2019	77KIDS	RETAIL ROYALTY COMPANY	No
TMK 09-01065	11/13/2009	8/18/2019	77KIDS	RETAIL ROYALTY COMPANY	No
TMK 09-01068	11/13/2009	11/11/2013	GLUE DOTS	GLUE DOTS INTERNATIONAL, LLC	No
TMK 09-01079	11/28/2009	11/3/2019	DESIGN (FLEUR-DE-LIS)	ZONE CHAMP LIMITED	No
TMK 09-01053	11/13/2009	9/1/2018	TRILEPTAL	NOVARTIS CORPORATION	No
TMK 09-01066	11/13/2009	3/28/2015	SUPERSONIC	SUPERSONINC INC	No

Total Records: 142

Date as of: 12/2/2009



**NOTICE OF ISSUANCE OF FINAL DETERMINATION
CONCERNING MULTIFUNCTIONAL MACHINES**

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

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (“CBP”) has issued a final determination concerning the country of origin of certain multifunctional machines which may be offered to the United States Government under a government procurement contract. Based upon the facts presented, in the final determination CBP concluded that Japan is the country of origin of the multifunctional machines for purposes of U.S. Government procurement.

DATES: The final determination was issued on November 30, 2009. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR § 177.22(d), may seek judicial review of this final determination within January 6, 2010.

FOR FURTHER INFORMATION CONTACT: Karen S. Greene, Valuation and Special Programs Branch, Regulations and Rulings, Office of International Trade (202–325–0041).

SUPPLEMENTARY INFORMATION: Notice is hereby given that on November 30, 2009, pursuant to subpart B of part 177, Customs Regulations (19 CFR part 177, subpart B), CBP issued a final determination concerning the country of origin of certain multifunctional machines which may be offered to the United States Government under a government procurement contract. This final determination, in HQ H039955, was issued at the request of Sharp Electronics Corporation under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. § 2511–18). In the final determination, CBP concluded that, based upon the facts presented, certain articles will be substantially transformed in Japan. Therefore, CBP found that Japan is the country of origin of the finished articles for purposes of U.S. Government procurement.

Section 177.29, Customs Regulations (19 CFR § 177.29), provides that notice of final determinations shall be published in the *Federal Register* within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR § 177.30), provides that any party-at-interest, as defined in 19 CFR § 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the *Federal Register*.

Dated: December 2, 2009

SANDRA L. BELL
Executive Director,
Office of Regulations and Rulings,
Office of International Trade

Attachment

HQ H039955

November 30, 2009

OT:RR:CTF:VS H039955 KSG

MR. EDMUND BAUMGARTNER, Esq.
PILLSBURY WINTHROP SHAW PITTMAN LLP
1540 BROADWAY
NEW YORK, NY 10036

Re: U.S. Government Procurement; Title III, Trade Agreements Act of 1979; Country of Origin of Multifunctional Printer Machines; substantial transformation

MR. BAUMGARTNER:

This is in response to your letter, dated November 26, 2007, requesting a final determination on behalf of Sharp Electronics Corporation (“Sharp”) pursuant to subpart B of 19 CFR Part 177. We apologize for the delay in our response.

Under these regulations, which implement Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511 *et seq.*) (“TAA”), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

This final determination concerns the country of origin of certain multifunctional printer machines that Sharp may sell to the U.S. Government. We note that Sharp is a party-at-interest within the meaning of 19 CFR 177.22(d)(1) and is entitled to request this final determination. A conference was held on this matter at Headquarters on August 25, 2008.

FACTS:

This case involves the Sharp Dragon II J-models (Sharp model # MX-M550N/UJ, MX-M620N/UJ, and MX-M700N/UJ). These models have monochrome copying, printing, faxing and duplex scanning functions.

Sharp Corporation, Sharp’s parent company (“Sharp Japan”) developed the Dragon II J-models in Japan, including the engineering, development, design and art work processes. The production of the Dragon II J-Models begins with the preparation of the key subassemblies and units. According to your submission, there are 11 main subassemblies that compose the Dragon II J-models. Of the eleven subassemblies that compose the Dragon II J-Models, only the drum unit subassembly is assembled in Japan. The remaining 10 subassemblies are assembled in China with parts from Japan and China. The final assembly of the merchandise is performed in Japan.

The Subassemblies Assembled in China

According to your submission, the subassemblies which are themselves assembled in China are essentially as follows:

The laser scanning unit (“LSU”) creates text or images on the photoconductor drum. It consists of a housing, synchronous lens, two cylindrical lenses, and asynchronous lower lens.

The transfer belt unit transfers the image created on the drum onto the surface of the paper for printing.

The multifunctional printer cabinet subassembly is comprised of the mechanical frame for the printer engine along with exterior panels, paper transport and exit components, paper driver motors, cooling fans and filters, sensors and switches for detecting paper and whether doors are open or closed, the paper manual feed unit, the toner supply motors and sensors, paper transport motors and sensors, the duplex section, the toner image transfer section, the image scanner section and the operation panel.

The main charger unit subassembly charges the surface of the drum evenly by application of high voltage so that it can form electrostatic images when irradiated by laser beams.

The process unit subassembly houses the drum used for creating images. The drum is produced and installed in China.

The developer unit is used to transfer toner evenly over the latent image created on the drum unit. It is composed of a developing roller, a developer doctor, a mixing roller, humidity sensor, developer and toner.

The multifunctional printer control unit is the combination of a printed circuit board with a number of sophisticated integrated circuits. It controls the electrical and mechanical units. The control printed wiring board ("PWB") and mother PWB are stuffed in China.

The Duplex Single Pass Feeder unit transports original documents fed into the multifunctional printer to the scanner. It contains a contact image sensor ("CIS").

The fusing unit is used to fix the transferred image onto paper.

The toner hopper unit subassembly transports toner from the hopper to the developing unit and transports waste toner to the waste toner section.

Japanese Parts and Subassembly

The drum unit, which is assembled in Japan, contains the drum, a core component for creating images.

The parts that are made in Japan that are claimed to be critical components include: the LSU housing, the LSU fixing base, the LSU synchronous lower lens, LSU two cylinder lenses, the transfer belt, cleaning brushes, drum separator pawls, the cleaning brush roller, the toner waste pipe, the drum, the mixing roller, the humidity sensor, the diodes and resistors, condensers, the flash ROM, the boot ROM, the firmware, the SDRAM, the application-specific integrated circuit ("ASIC"), the multifunctional printer input/output ASIC, the system control ASIC, the LCD panel control ASIC, the USB controller, the CIS, the fusing gear, the separator pawl, the web roller, the cleaning sub roller, the cleaning roller bearing, the lower cleaning roller and the thermostats.

The firmware and ASICS are developed and produced in Japan. Further, the developer (iron powder beads) and toner are produced in Japan.

Final Assembly and Testing In Japan

The final assembly of the machines takes place in Japan. Sharp Japan starts with a MFP cabinet unit subassembly and attaches the various sub-assemblies by screws.

The printer control unit (MFP control unit) together with the flash ROM (which includes the firmware) is installed in a slot on the back side of the MFP cabinet. The flash ROM is installed into the slot on the rear of the MFP

cabinet unit. A network interface card is installed. An additional flash ROM and a network interface card are installed.

Testing, final inspection and packaging of the units for shipment to the U.S. occurs in Japan.

ISSUE:

What is the country of origin of the subject multifunctional printer machines for the purpose of U.S. Government procurement?

LAW AND ANALYSIS:

Pursuant to Subpart B of Part 177, 19 CFR § 177.21 *et seq.*, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. § 2511 *et seq.*), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

Under the rule of origin set forth under 19 U.S.C. 2518(4)(B):

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 CFR § 177.22(a).

In determining whether the combining of parts or materials constitutes a substantial transformation, the determinative issue is the extent of operations performed and whether the parts lose their identity and become an integral part of the new article. *Belcrest Linens v. United States*, 573 F. Supp. 1149 (Ct. Int’l Trade 1983), *aff’d*, 741 F.2d 1368 (Fed. Cir. 1984). Assembly operations that are minimal or simple, as opposed to complex or meaningful, will generally not result in a substantial transformation. See C.S.D. 80–111, C.S.D. 85–25, C.S.D. 89–110, C.S.D. 89–118, C.S.D. 90–51, and C.S.D. 90–97. In C.S.D. 85–25, 19 Cust. Bull. 844 (1985), CBP held that for purposes of the Generalized System of Preferences (“GSP”), the assembly of a large number of fabricated components onto a printed circuit board in a process involving a considerable amount of time and skill resulted in a substantial transformation. In that case, in excess of 50 discrete fabricated components (such as resistors, capacitors, diodes, integrated circuits, sockets, and connectors) were assembled. Whether an operation is complex and meaningful depends on the nature of the operation, including the number of components assembled, number of different operations, time, skill level required, attention to detail, quality control, the value added to the article, and the overall employment generated by the manufacturing process.

In order to determine whether a substantial transformation occurs when components of various origins are assembled into completed products, CBP considers the totality of the circumstances and makes such determinations on

a case-by-case basis. The country of origin of the item's components, extent of the processing that occurs within a country, and whether such processing renders a product with a new name, character, and use are primary considerations in such cases. Additionally, factors such as the resources expended on product design and development, extent and nature of post-assembly inspection and testing procedures, and worker skill required during the actual manufacturing process will be considered when determining whether a substantial transformation has occurred. No one factor is determinative.

CBP has held in a number of cases involving similar merchandise that complex and meaningful assembly operations involving a large number of components result in a substantial transformation. In Headquarters Ruling Letter ("HRL") 563491 (February 8, 2007), CBP addressed the country of origin of certain digital color multifunctional systems manufactured by Sharp and assembled in Japan of various Japanese — and Chinese — origin parts. In that ruling, CBP determined that color multifunctional systems were a product of Japan based on the fact that "although several subassemblies are assembled in China, enough of the Japanese subassemblies and individual components serve major functions and are high in value, in particular, the transfer belt, control box unit, application-specific integrated circuits, charged couple device, and laser diodes." Further CBP found that the testing and adjustments performed in Japan were technical and complex and the assembly operations that occurred in Japan were sufficiently complex and meaningful. *See also* HRL 562936, dated March 17, 2004.

The processing operations presented in this case are most similar to that presented in HRL 563491. The composition and assembly process of a number of key subassemblies such as the laser scanning unit, the transfer belt unit and the controller unit are not meaningfully different from the assembly operations performed on the merchandise in our previous ruling. Taking all of the facts and circumstances into account, and in light of our previous decision, we find that the operations performed in Japan including the final assembly, testing and related operations to be sufficiently complex and meaningful to result in a new and distinct article of commerce in Japan. Therefore, we find that the Dragon II-J multifunctional printer machines are products of Japan for the purposes of U.S. Government procurement. We note however, that with so many of the subassemblies performed in China, the transfer of additional parts or processing from Japan to China might well require a different result.

HOLDING:

Based on the facts of this case, the country of origin of the Dragon II J-model multifunctional printer machines is Japan for purposes of U.S. Government procurement.

Notice of this final determination will be given in the Federal Register, as required by 19 CFR § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR § 177.31 that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR § 177.30, any party-at-interest may, within 30 days after publication of the Federal Register Notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

SANDRA L. BELL

Executive Director

Office of Regulations and Rulings

Office of International Trade

[Published in the Federal Register, December 7, 2009 (74 FR 64094)]

AGENCY INFORMATION COLLECTION ACTIVITIES:
Application-Permit-Special License
Unlading-Lading-Overtime Services

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

ACTION: 30-Day notice and request for comments; Extension of an existing information collection: 1651-0005.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Application-Permit-Special License Unlading-Lading-Overtime Services (Form 3171). This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** (74 FR 50811) on October 1, 2009, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10.

DATES: Written comments should be received on or before January 4, 2010.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-5806.

SUPPLEMENTARY INFORMATION: U.S. Customs and Border Protection (CBP) encourages the general public and affected Federal agencies to submit written comments and suggestions on

proposed and/or continuing information collection requests pursuant to the Paperwork Reduction Act (Pub. L.104–13). Your comments should address one of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies/components estimate of the burden of The proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collections of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological techniques or other forms of information.

Title: Application-Permit-Special License Unlading-Lading-Overtime Services

OMB Number: 1651–0005

Form Number: Form 3171

Abstract: Form 3171 is used by commercial carriers and importers as a request for permission to unlade imported merchandise, baggage, or passengers, and for overtime services of CBP officers in connection with lading or unlading of merchandise, or the entry or clearance of a vessel.

Current Actions: There are no changes to the information collection. This submission is being made to extend the expiration date.

Type of Review: Extension (without change)

Affected Public: Businesses

Estimated Number of Respondents: 1,500

Estimated Number of Annual Responses per Respondent: 266

Estimated Number of Total Annual Responses: 399,000

Estimated Time Per Respondent: 8 minutes

Estimated Total Annual Burden Hours: 51,870

If additional information is required contact: Tracey Denning, U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW, 7th Floor, Washington, DC. 20229-1177, at 202-325-0265.

Dated: November 27, 2009

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

[Published in the Federal Register, December 3, 2009 (74 FR 63406)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:
Delivery Ticket**

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

ACTION: 30-Day notice and request for comments; Extension of an existing information collection: 1651-0081.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Delivery Ticket (Form 6043). This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** (74 FR 51163) on October 5, 2009, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10.

DATES: Written comments should be received on or before January 6, 2010.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-5806.

SUPPLEMENTARY INFORMATION: U.S. Customs and Border Protection (CBP) encourages the general public and affected Federal agencies to submit written comments and suggestions on proposed and/or continuing information collection requests pursuant to the Paperwork Reduction Act (Pub. L.104–13). Your comments should address one of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies/components estimate of the burden of The proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collections of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological techniques or other forms of information.

Title: Delivery Ticket

OMB Number: 1651–0081

Form Number: Form 6043

Abstract: This collection of information requires warehouse proprietors, carriers, Foreign Trade Zone operators and others to prepare a CBP Form 6043 (Delivery Ticket) to cover the receipt of the merchandise and its transport from the custody of the arriving carrier. The information is to be used by CBP officers to document transfers of imported merchandise between parties.

Current Actions: There are no changes to the information collection. This submission is being made to extend the expiration date.

Type of Review: Extension (without change)

Affected Public: Businesses

Estimated Number of Respondents: 1000

Estimated Number of Annual Responses per Respondent: 200

Estimated Number of Total Annual Responses: 200,000

Estimated Time Per Response: 20 minutes

Estimated Total Annual Burden Hours: 66,000

If additional information is required contact: Tracey Denning, U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW, 7th Floor, Washington, DC. 20229-1177, at 202-325-0265.

Dated: December 2, 2009

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

[Published in the Federal Register, December 7, 2009 (74 FR 64092)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:
Arrival and Departure Record**

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

ACTION: 60-Day notice and request for comments; Extension of an existing information collection: 1651-0111

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Form I-94 (Arrival/Departure Record), the Form I-94W (Nonimmigrant Visa Waiver Arrival/Departure), and the Electronic System for Travel Authorization (ESTA). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Public Law 104-13; 44 U.S.C. 3505(c)(2)).

DATES: Written comments should be received on or before February 5, 2010, to be assured of consideration.

ADDRESSES: Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Office of Regulations and Rulings, 799 9th Street, NW, 7th 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, Office of Regulations and Rulings, 799 9th Street, NW, 7th 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; 44 U.S.C. 3505(c)(2)). 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) estimates of capital or start-up costs and costs of operations, maintenance, and purchase of services to provide information. The comments that are submitted will be summarized and included in the request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document the CBP is soliciting comments concerning the following information collection:

Title: Arrival and Departure Record, Nonimmigrant Visa Waiver Arrival/Departure, Electronic System for Travel Authorization (ESTA)

OMB Number: 1651–0111

Form Number: I–94 and I–94W

Abstract: Form I–94 (Arrival/Departure Record) and Form I–94W (Nonimmigrant Visa Waiver Arrival/Departure Record) are used to document a traveler’s admission into the United States. These forms include date of arrival, visa classification and the date the authorized stay expires. The forms are also used by business employers and other organizations to confirm legal status in the United States. The Electronic System for Travel Authorization (ESTA) applies to aliens traveling to the United States under the Visa Waiver Program (VWP) and requires that VWP travelers provide information electronically to CBP before embarking on travel to the United States.

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

Type of Review: Extension (without change)

Affected Public: Individuals

I–94 (Arrival and Departure Record):

Estimated Number of Respondents: 13,924,380

Estimated Number of Total Annual Responses: 13,924,380

Estimated Time Per Response: 8 minutes

Estimated Total Annual Burden Hours: 1,851,943

Estimated Total Annualized Cost on the Public: \$83,546,280

I-94W (Nonimmigrant Visa Waiver Arrival/Departure):

Estimated Number of Respondents: 18,000,000
Estimated Number of Total Annual Responses: 18,000,000
Estimated Time Per Response: 8 minutes
Estimated Total Annual Burden Hours: 2,394,000
Estimated Total Annualized Cost on the Public: \$108,000,000

Electronic System for Travel Authorization (ESTA):

Estimated Number of Respondents: 18,000,000
Estimated Number of Total Annual Responses: 18,000,000
Estimated Time Per Response: 15 minutes
Estimated Total Annual Burden Hours: 4,500,000

Dated: December 2, 2009

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[Published in the Federal Register, December 7, 2009 (74 FR 64092)]

**AGENCY INFORMATION COLLECTION ACTIVITIES:
Guarantee of Payment**

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

ACTION: 30-Day notice and request for comments; Extension of an existing information collection: 1651-0127.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act: Guarantee of Payment (Form I-510) This is a proposed extension of an information collection that was previously approved. CBP is proposing that this information collection be extended with no change to the burden hours. This document is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** (74 FR 50982) on October 2, 2009, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10.

DATES: Written comments should be received on or before January 6, 2010.

ADDRESSES: Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-5806.

SUPPLEMENTARY INFORMATION: U.S. Customs and Border Protection (CBP) encourages the general public and affected Federal agencies to submit written comments and suggestions on proposed and/or continuing information collection requests pursuant to the Paperwork Reduction Act (Pub. L.104-13). Your comments should address one of the following four points:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency/component, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the agencies/components estimate of the burden of The proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collections of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological techniques or other forms of information.

Title: Guarantee of Payment

OMB Number: 1651-00127

Form Number: Form I-510

Abstract: The Form I-510 is executed upon the arrival of an alien crewman within the purview of Section 253 of the Immigration and Nationality Act. The information is used by CBP to help ensure that expenses of caring for an alien crewman are reimbursed by the carrier.

Current Actions: CBP is proposing to extend this collection of information with no change to the burden hours.

Type of Review: Extension (without change)

Estimated Number of Respondents: 100

Estimated Number of Annual Responses per Respondent: 1

Estimated Total Annual Responses: 100

Estimated Time per Response: 5 minutes

Estimated Total Annual Burden Hours: 8

If additional information is required contact: Tracey Denning, U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW, 7th Floor, Washington, DC. 20229-1177, at 202-325-0265.

Dated: December 2, 2009

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