

conducted in accordance with 5 CFR 1320.10.

**DATES:** Written comments should be received on or before October 8, 2008.

**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 [toaira\\_submission@omb.eop.gov](mailto:toaira_submission@omb.eop.gov) or faxed to (202) 395-6974.

**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 collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

*Title:* Petition for Remission or Mitigation of Forfeitures and Penalties.

*OMB Number:* 1651-0100.

*Form Number:* CBP Form 4609.

*Abstract:* Persons whose property is seized or who incur monetary penalties due to violations of the Tariff Act are entitled to seek remission or mitigation by means of an informal appeal. This form gives the violator the opportunity to claim mitigation and provides a record of such.

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

*Type of Review:* Extension (without change).

*Affected Public:* Business or other for-profit institutions.

*Estimated Number of Respondents:* 28,000.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Time per response:* 14 minutes.

*Estimated Total Annual Burden Hours:* 6,500.

If additional information is required contact: Tracey Denning, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Room 3.2.C, Washington, DC 20229, at 202-344-1429.

Dated: August 26, 2008.

**Tracey Denning,**

*Agency Clearance Officer, Customs and Border Protection.*

[FR Doc. E8-20763 Filed 9-5-08; 8:45 am]

**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

#### Announcement of Termination of National Customs Automation Program (NCAP) Test: Semi-Monthly Statement Processing Prototype

**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 decision to formally terminate the test of the semi-monthly filing and statement processing prototype program that was initiated in April 1998, as part of the National Customs Automation Program. The test of the semi-monthly filing program was conceived as a transitional procedure from the Automated Commercial System to the full electronic processing of commercial importations in the Automated Commercial Environment, which allows account holders to pay duties, taxes, fees, and other payments owed using a periodic statement cycle. The Automated Commercial Environment portal system for Periodic Monthly Payment statement processing has been deployed nationwide thereby ending the need for the semi-monthly filing program.

**DATES:** *Effective Date:* September 8, 2008.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sharon Taylor, Program Officer, Revenue Policy and Programs Branch, ADCVD/Revenue Division, Office of International Trade, U.S. Customs and Border Protection at (202) 863-6527 or via e-mail at [Sharon.Taylor@dhs.gov](mailto:Sharon.Taylor@dhs.gov).

## SUPPLEMENTARY INFORMATION:

### Background

Title VI of the North American Free Trade Agreement Implementation Act, Public Law 103-182, 107 Stat. 2057 (December 8, 1993), contains provisions pertaining to Customs Modernization (107 Stat. 2170). Subtitle B of Title VI establishes the National Customs Automation Program (NCAP)—an automated and electronic system for the processing of commercial importations. Pursuant to the provisions of Subtitle B, U.S. Customs and Border Protection (“CBP”) developed a new commercial processing system, the Automated Commercial Environment (“ACE”), which is phasing out the Automated Commercial System (“ACS”).

As an interim measure, while the ACS was still in use for the filing of duties, taxes, fees and other payments, the former Customs Service (now CBP) published a General Notice entitled “Announcement of National Customs Automation Program Test: Semi-Monthly Statement Processing Prototype” in the **Federal Register** (63 FR 15259) on March 30, 1998, pursuant to section 101.9(b) of CBP regulations (19 CFR 101.9(b)), which implemented the NCAP testing procedures. The prototype permitted importers to file entry summaries and to pay their duties, taxes, and fees within seven days of the end of a fifteen or sixteen day semi-monthly period for cargo released during that period. Pursuant to section 1505 of the United States Code (19 U.S.C. 1505), the interest rate was calculated using the rate in effect seven days after the fifteen or sixteen day semi-monthly period. It provided for suspension of a participant for misconduct and an appeal process. Only six importers elected to participate in the program. The notice originally instituted the program at only 14 ports of entry. The notice stated that the semi-monthly filing and statement processing prototype would be implemented over an 18-month period and would end when the periodic payment/statement feature of ACE was available.

However, ACE was not fully implemented in 2002 and the testing of the semi-monthly processing prototype was incomplete. The reasons for these developments were many, namely, budgeting difficulties, the occurrence of other national events, which occasioned a shifting of CBP priorities, the continuing reorganization of Customs, etc. Furthermore, evaluations of the prototype conducted with participants showed a concern that the prototype testing should be expanded to additional ports so that the national

effect of this program could be fully gauged. The test was not opened to any new participants, but the original six participants continued in the program. As the test program continued, a series of notices announced changes or modifications to the test program in the following notices published in the **Federal Register**: 67 FR 39098 (June 6, 2002); 69 FR 5362 (February 4, 2004); 69 FR 54302 (September 8, 2004); 70 FR 5199 (February 1, 2005); 70 FR 45736 (August 8, 2005); 70 FR 55623 (September 22, 2005) and 71 FR 3315 (January 20, 2006). The development of this NCAP test is set forth in these prior notices.

### Termination of National Customs Automation Program Test on the Semi-Monthly Statement Processing Prototype

The periodic monthly payment statement ACE-based process, referenced above, has now exceeded over two billion dollars in revenues on the periodic deposit of estimated duties and fees. All of the six original participants in the "Semi-Monthly Statement Processing Prototype" have terminated their involvement in the program in favor of participation in the ACE-based process. The Automated Commercial Environment portal system for Periodic Monthly Payment statement processing has been deployed nationwide thereby ending the need for the semi-monthly filing program. Therefore, this notice formally announces the termination of the "Semi-Monthly Statement Processing Prototype" under the NCAP.

Dated: September 3, 2008.

**Jason P. Ahern,**

*Acting Commissioner, U. S. Customs and Border Protection.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-R-2008-N0173, 80230-1265-0000-S3]

### San Luis and Merced National Wildlife Refuges and Grasslands Wildlife Management Area, Merced County, CA

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of intent to prepare a comprehensive conservation plan and environmental assessment; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), intend to prepare a

Comprehensive Conservation Plan (CCP) and Environmental Assessment (EA) for San Luis and Merced National Wildlife Refuges (NWRs) and the Grasslands Wildlife Management Area (WMA) located in Merced County, California. We provide this notice in compliance with our CCP policy to advise other Federal and State agencies, Tribes, and the public of our intentions, and to obtain suggestions and information on the scope of issues to consider in the planning process.

**DATES:** To ensure consideration, we must receive your written comments by October 23, 2008.

**ADDRESSES:** Send your comments or requests for more information by any of the following methods.

*E-mail:* [Sandy\\_Osborn@fws.gov](mailto:Sandy_Osborn@fws.gov). Include "San Luis CCP" in the subject line of the message.

*Fax:* Attn: Ms. Sandy Osborn, (916) 414-6497.

*U.S. Mail:* California and Nevada Region, Refuge Planning, U.S. Fish and Wildlife Service, 2800 Cottage Way, W-1832, Sacramento, California 95825.

*In-Person Drop off:* You may drop off comments during regular business hours 8 a.m. to 4:30 p.m., Monday through Friday, at San Luis NWR Complex Headquarters, 947 West Pacheco Blvd., Suite C, Los Banos, California.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandy Osborn, Planning Team Leader, at (916) 414-6503.

### SUPPLEMENTARY INFORMATION:

#### Introduction

With this notice, we initiate our process for developing a CCP for San Luis and Merced NWRs and the Grasslands WMA in Merced County, CA. This notice complies with our CCP policy to: (1) Advise other Federal and State agencies, Tribes, and the public of our intention to conduct detailed planning on this refuge and (2) obtain suggestions and information on the scope of issues to consider in the environmental document and during development of the CCP.

#### Background

##### *The CCP Process*

The National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee) (Improvement Act), which amended the National Wildlife Refuge System Administration Act of 1966, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System,

consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Improvement Act.

Each unit of the National Wildlife Refuge System is established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management goals and objectives for each refuge within the National Wildlife Refuge System mission, and to determine how the public can use each refuge. The planning process is a way for us and the public to evaluate management goals and objectives that will ensure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each refuge's establishing purposes and the mission of the National Wildlife Refuge System.

Our CCP process provides participation opportunities for Tribal, State, and local governments; agencies; organizations; and the public. At this time we encourage input in the form of issues, concerns, ideas, and suggestions for the future management of San Luis and Merced NWRs and the Grasslands WMA.

We will conduct the environmental review of this project in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 *et seq.*); NEPA regulations (40 CFR parts 1500-1508); other appropriate Federal laws and regulations; and our policies and procedures for compliance with those laws and regulations.

#### *San Luis and Merced NWRs and Grasslands WMA*

The San Luis and Merced NWRs and Grasslands WMA are in Merced County, California, adjacent to the communities of Los Banos and Merced. They are situated within the San Joaquin River watershed in the San Joaquin Valley.

Collectively, these three units of the National Wildlife Refuge System contain one of the largest contiguous freshwater wetlands remaining in California, which provides important winter habitat for millions of migratory birds, as well as assemblages of other