

Estimated Burden Hours Per Respondent/Recordkeeper:

Recordkeeping—1 hr., 55 min.
Learning about the law or the form—18 min.

Preparing and sending the form to the IRS—20 min.

Frequency of Response: Annually.

Estimated Total Reporting/Recordkeeping Burden: 4,335 hours.

Clearance Officer: Garrick Shear, Internal Revenue Service, Room 5571, 1111 Constitution Avenue, NW, Washington, DC 20224.

OMB Reviewer: Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 99-13517 Filed 5-26-99; 8:45 am]

BILLING CODE 4830-01-P

DEPARTMENT OF THE TREASURY

Customs Service

Evaluation and Extension of National Customs Automation Program Test: Electronic Cargo Declarations

AGENCY: Customs Service, Treasury.

ACTION: General notice.

SUMMARY: This notice announces an extension of the National Customs Automation Program test concerning the electronic submission of certain inward vessel manifest information and discusses the result of an interim evaluation by Customs of the test. Testing of this program has been occurring since February 11, 1997. The test allows participating Automated Manifest System vessel carriers to electronically file complete cargo information prior to a vessel's arrival in the U.S., which in turn enables Customs to electronically release cargo to carriers and other participating parties and facilitate the control and processing of cargo that would otherwise have to await the filing of applicable paper Customs Forms.

DATES: The test is extended at least until December 31, 2000. Applications to participate in the test and comments concerning the test will be accepted throughout the testing period.

FOR FURTHER INFORMATION CONTACT: For operational or policy matters: Robert Watt (202) 927-0360; for systems or automation matters: Kim Santos (202) 927-0651; and for legal matters: Larry L. Burton (202) 927-1287.

SUPPLEMENTARY INFORMATION:

Background

On February 11, 1997, Customs commenced a one-year National Customs Automation Program (NCAP) test concerning the electronic submission of cargo declaration information. One of the goals of the program test was to eliminate the requirement that participating Automated Manifest System (AMS) vessel carriers must also submit a paper Cargo Declaration (Customs Form 1302). Other objectives of this test included whether the trade community could realize certain time savings and whether Customs law enforcement responsibilities, e.g., such as targeting examinations, could be enhanced. See, the notice published in the **Federal Register** (61 FR 47782) on September 10, 1996, announcing this NCAP test and informing the public of the eligibility requirements for participation in the test. On December 19, 1997, it was announced that the test period for this NCAP was extended for an additional year and that the program test was to be modified concerning the manifesting of empty containers. See, the notice published in the **Federal Register** (62 FR 66719) on December 19, 1997.

The modification concerning the manifesting of empty containers could not be implemented at the time that the test was extended because the module in the AMS was not yet developed. Now that the AMS module has been developed, Customs needs to further test the program.

This document announces an extension of the NCAP test concerning the electronic submission of certain inward vessel manifest information and discusses the result of an interim evaluation by Customs of the test. Customs intends to continue testing this NCAP until such time as all program elements are fully tested and final regulations are promulgated that permanently provide for the electronic submission of inward vessel manifest information in the Customs Regulations (19 CFR chapter I). Anyone interested in participating in the test should refer to the test notice published in the **Federal Register** on September 10, 1996, for eligibility and application information.

Evaluation Methodology

Customs evaluated this NCAP test by developing certain performance criteria and measuring over time the test population's overall compliance with these performance criteria from baseline measurements. The composition of the test population and the methodology of the evaluation follow.

Size of Test Population and Extent of Data Evaluated

Overall, 17 carriers participated in the program test. These 17 carriers transported approximately 40% of all the cargo imported by vessel during the time period of the test. Customs evaluation of the program test is based on the test population's overall compliance with the nine performance criteria developed and measured by Customs. The data was collected over the period February 11–December 31, 1997.

Three questionnaires were also developed to take account of all participants' concerns: two for carrier participants and one for port directors that participated in the program test. The comments/responses generated by these questionnaires, while helpful to Customs, were not factored into the evaluation report that follows.

Evaluation Process

To evaluate the achievement of the program test to date, Customs established National Standard Operating (NSO) procedures and developed performance criteria to measure such operational issues as whether participants could meet the requirements of transmitting timely, complete, and accurate cargo data, and the benefits to the trade community. The NSO procedures were established to ensure that Customs personnel uniformly collected the same data. Baseline performance measurements for each participant carrier were recorded and subsequent performance measurements were taken monthly and averaged quarterly. The nine performance criteria developed sought to measure each aspect of the electronic filing test—from the completeness of the information to the time it was transmitted—that participants had to comply with.

To evaluate the various performance statistics, the raw data was compiled into a spreadsheet data-base program and the following factor ratings were used in measuring participant's compliance:

If the criterion was met 100% of the time, an "Excellent" rating was ascribed;

If the criterion was met 90–99% of the time, a "Very Good" rating was ascribed;

If the criterion was met 80–89% of the time, a "Good" rating was ascribed;

If the criterion was met 70–79% of the time, a "Fair" rating was ascribed; and

If the criterion was met less than 70% of the time, a "Poor" rating was ascribed.

Overall, a "Good" compliance rating was scored by the participants evaluated to date, which convinces Customs that this program test has been successful in achieving its goals and time-saving and law-enforcement objectives. Further, Customs found that the carrier industry can sustain both the electronic and policy standards established for this NCAP.

Regarding the questionnaires, the two questionnaires sent to carrier participants inquired into the overall effectiveness of the program test for the carriers and posed specific questions regarding problems encountered with the manifesting of Foreign Freight Remaining On Board (FROB) cargo. The questionnaire sent to port director participants inquired if the program test resulted in enhanced internal operations. The comments and responses to these questionnaires by each group of respondents showed again that the program test was successful. The trade community, represented by the Customs Electronic System Action Committee (CESAC), stated that participant carriers showed increased efficiency, experienced excellent communications with the local Customs office, and had reduced paper costs and a labor savings that averaged \$100,000 per carrier. Customs personnel involved with this test also cited increased efficiency and excellent communications with carriers, and also enhancements to internal operating procedures.

The following composite evaluation report identifies the performance criteria measured and shows the average compliance rating for the test population evaluated to date.

Performance Criteria and Results of Evaluation

Customs evaluation of the 17 test participants' performance is based on their proficiency as a group in meeting the following performance criteria:

Criterion A measured whether participating vessel operators informed Customs if other carriers were shipping cargo on the subject vessel and, if they were, whether the other carriers were using the vessel pursuant to a vessel sharing or chartering agreement arrangement, and whether the participating vessel operators correctly listed those carriers. This criterion was designed to help Customs know if these other carriers were correctly reporting their cargo information, otherwise required by Customs Form 3171 (Application-Permit-Special License-Unlading-Lading-Overtime Services). Customs evaluation of the data shows that 92% of the time participating vessel

operators accurately indicated when other carriers' were shipping cargo on board the subject vessel, and correctly identified those carriers to Customs, which is a "Very Good" compliance rating.

Criterion B measured whether participating vessel operators timely submitted—at least 48 hours prior to the vessel's arrival (a new time requirement)—the data required by Customs Form 3171. This criterion was designed to determine if participants could submit the data in advance of arrival, thus, giving Customs advanced notice of the vessel's arrival so that appropriate administrative and enforcement measures could be readied. Customs evaluation of the data shows that 92% of the time the required data was submitted at least 48 hours prior to the vessel's arrival, which is a "Very Good" compliance rating.

Criterion C measured whether, in those instances when multiple participating carriers were sharing or chartering space on board the same vessel, each test participant transmitted the identical vessel name as the vessel operator. This criterion was designed to measure if each AMS carrier, which separately transmits its own portion of the vessel's cargo declaration, could accurately identify the name of the vessel. (If the vessel name is not correctly identified by each carrier, then the AMS cannot associate the separately transmitted cargo declarations as part of the same arriving vessel and manifest, resulting in cargo information not being properly reviewed by Customs enforcement and regulatory teams.) Customs evaluation of the data shows that 98% of the time test participants correctly identified the same vessel name as the vessel operator, which is a "Very Good" compliance rating.

Criterion D measured whether test participants transmitted the correct arrival date and time of the vessel. This criterion was designed to help Customs assess the impact of date/time data received by Customs on such time-sensitive procedures as general order, quota, and formal vessel entry. Customs evaluation of the data shows test participants transmitted the correct arrival date and time of the vessel only 74% of the time, which is a "Fair" compliance rating.

Criterion E measured whether test participants timely submitted—at least 48 hours prior to the vessel's arrival or, for "short haul" voyages, by the time of arrival—complete cargo declaration information. This criterion was designed to determine how far in advance of arrival participants could submit the cargo declaration data so that

Customs could ready appropriate enforcement and cargo control measures based on the vessel's cargo information. Further, advance notice of the vessel's cargo expedites the cargo release process, which saves time for the trade community. Customs evaluation of the data shows that 85% of the time the cargo declaration data was timely submitted, which is a "Good" compliance rating.

Criterion F measured whether test participants transmitted complete and accurate bill(s) of lading information with the cargo declaration data. This criterion was designed to determine whether all of the data element fields were being completed, so that appropriate manifest targeting and audit procedures could be readied. Customs evaluation of the data shows that 83% of the time complete and accurate bill(s) of lading information was transmitted with the cargo declaration data, which is a "Good" compliance rating.

Criterion G measured whether test participants timely transmitted all FROB cargo data upon arrival at the first port of entry. Although this data could have been measured within criterion F, it was separately measured because this type of cargo data had never been required by AMS before. Customs evaluation of the data shows that 92% of the time all FROB cargo data was timely transmitted upon arrival at the first port of entry, which is a "Very Good" compliance rating.

Criterion H measured whether test participants released any cargo prior to receiving an electronic release from Customs. This criterion was designed to measure the compliance of test participants in observing the cargo release procedures established by Customs. Customs evaluation of the data shows that 100% of the time no merchandise was released without proper electronic notice, which is an "Excellent" compliance rating.

Criterion I measured whether any penalties were assessed against participants because of manifest discrepancies or improper cargo releases. Again, this criterion was designed to measure the compliance of test participants in observing the test procedures established by Customs. Customs evaluation of the data shows that 100% of the time no penalties were issued, which is an "Excellent" compliance rating.

The factor ratings for individual test participants were:

7 had an overall rating of "very good";
8 had a rating of "good";
1 had a rating of "fair"; and
1 had a rating of "poor".

The test group's compliance ratings for criterion A, B, C, G, H, and I—all more than 90% compliant—are considered sufficiently high enough to be acceptable without further comment. However, Customs acceptance of the compliance ratings for criterion D, E, and F merits further explanation.

Customs evaluation of the criterion D data, which measured whether the date and time transmitted by the test participant was the same as that recorded by the Customs officer processing the entrance of the vessel, revealed that the low compliance rating (only 74% of the time was the correct data transmitted by test participants, a "Fair" compliance rating) had more to do with the time element than the date element, and that the discrepancy noted was of marginal significance: the time transmitted by participants was usually off by no more than an hour or two. Accordingly, Customs does not consider the 74% compliance rate as detrimental to the test.

Criterion E, which measured how timely complete cargo declaration information could be transmitted, and criterion F, which measured whether complete and accurate bill(s) of lading information was also transmitted when the cargo declaration information was transmitted, are considered together because the timeliness and accuracy of the data measured are essential for Customs to be able to perform its law-enforcement mission. Customs believes that the marginally acceptable compliance ratings scored (85% for criterion E and 83% for criterion F, "Good" compliance ratings) were based on performance criteria measures that were contingent on procedural, rather than substantive, reasons that are inherent in shipping programs and that the discrepancies noted, again, are of marginal significance.

For criterion E, Customs analysis of the data shows that the compliance level for this criteria fell below 90% for one reason: short-haul voyages, *i.e.*, vessels arriving in the U.S. at the nearest port of entry directly from Canada, the Caribbean, or Mexico with the voyage lasting less than 48 hours. In many instances, voyages lasted less than 24 hours. Affected participants stated that such short-haul voyages could not easily comply with the time of arrival transmission requirement being measured, since complete cargo data is often not electronically compiled timely enough to be transmitted to Customs. Since Customs retains the authority to prohibit the release of cargo until a manifest is presented and/or to require the master of the vessel to present the manifest on the paper CF 1302 upon

arrival, Customs believes that there is no good substantive reason to allow this skewed performance measure to adversely affect the other successes of this test program.

For criterion F, Customs analysis of the data again shows that the compliance level for this criteria fell below 90% for one reason: the allowance of amendments to manifest information for 60 days. Since amendments to manifest information are allowed, this procedural circumstance compromised the "completeness of the information" data being measured. However, because the test compliance rate (83%) is comparable to the completeness of cargo data compliance measure for carriers filing paper CF 1302s, Customs does not view this test compliance rating as significant. Further, Customs notes that while a couple of the participants were rated well below the 83% compliance level at the time of the evaluation, by subsequently working with these participants, Customs has seen remarkable improvement in the compliance results of these test participants.

The Future of the Program

Customs planned to modify the initial program test 2 years ago regarding the submission of empty container information. However, the hoped for new module in AMS was not available at that time and is only now being readied for testing. (The proposed modified procedure will allow empty container information to be manifested by container number listing only the port of loading along with the equipment identification, instead of by the current AMS procedure which requires the use of a bill of lading indicating the container number in the description field and the U.S. port of discharge.) Until this new module becomes generally available for testing, empty container information must be manifested either by providing the information on a CF 1302 or by using the current AMS procedure; this aspect of the program test remains subject to the general manifesting requirements of § 4.7 of the Customs Regulations (19 CFR 4.7).

Although the overall performance rating for the manifesting of FROB cargo information was "very good," this measure of the program test called Customs attention to a peculiar problem, which ultimately required that vessels on certain routes submit FROB cargo information on a CF 1302. In those situations where FROB cargo arrived in the U.S. on a vessel, then left on the same vessel for unloading in a foreign

port, no significant problems were encountered. In other situations, however, where FROB cargo arrived in the U.S. on a vessel and that vessel later arrived at a foreign port where the FROB cargo was unladen and reladen onto another vessel for discharge in the U.S., Customs discovered that although there were two vessels involved, the bill of lading information for the FROB cargo remained the same for each vessel. There were also other peculiar scenarios such as a vessel's voyage number changes. Presently AMS cannot accommodate these circumstances. Therefore, participating carriers must constantly juggle bill(s) of lading information and manipulate bill numbers to submit correct FROB cargo data or present the changing FROB cargo information on a CF 1302.

Customs will try to make programing changes that address these problems and has already informed the trade that enhancements to the AMS module will be made. Comments concerning these problems and any other aspect of this NCAP test are welcome.

Conclusion

Customs evaluation to date of the performance criteria established for this NCAP test shows that, overall, a "Good" compliance rating was scored by the participants. Although certain compliance ratings are only marginally acceptable, Customs believes the performance criteria measured were contingent on procedural, rather than substantive, reasons that are inherent in shipping programs, and that the discrepancies discovered are of marginal significance. Accordingly, Customs believes that the program test has been successful so far in achieving its time-saving and law-enforcement objectives. Further, Customs has found that the carrier industry can sustain both the electronic and policy standards established for the test program, and that the trade community is benefitting from and is satisfied with the program.

Until all elements of this program are tested and final regulations are developed that permanently provide for the program the testing of this NCAP will continue at least until December 31, 2000. Customs hopes that the success of this program test so far will convince other carriers to participate, and will continue to accept applications for participation throughout the further testing of this NCAP.

Dated: May 21, 1999.

Charles W. Winwood,

Assistant Commissioner, Office of Field Operations.

[FR Doc. 99-13498 Filed 5-26-99; 8:45 am]

BILLING CODE 4820-02-P

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Proposed Agency Information Collection Activities; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on proposed and continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Today, the Office of Thrift Supervision within the Department of the Treasury solicits comments on the Loan Application Register.

DATES: Submit written comments on or before July 26, 1999.

ADDRESSES: Send comments to Manager, Dissemination Branch, Information Management and Services Division, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, Attention 1550-0021. Hand deliver comments to the Public Reference Room, 1700 G Street, NW., lower level, from 9:00 a.m. to 4:00 p.m. on business days. Send facsimile transmissions to FAX Number (202) 906-7755; or (202) 906-6956 (if comments are over 25 pages). Send e-mails to "public.info@ots.treas.gov", and include your name and telephone number. Interested persons may inspect comments at the Public Reference Room, 1700 G St. NW., from 9:00 a.m. until 4:00 p.m. on business days.

FOR FURTHER INFORMATION CONTACT: Gilda Morse, Corporate Policy and Special Examinations, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, (202) 906-6238.

SUPPLEMENTARY INFORMATION:

Title: Loan Application Register.

OMB Number: 1550-0021.

Form Number: Not applicable.

Abstract: The Home Mortgage Disclosure Act (HMDA), 12 U.S.C. 2801, requires this collection of information. In accordance with the Act, the Federal Reserve Board (FRB) promulgates and administers HMDA regulations. HMDA forms and collection and recordkeeping

requirements are approved under OMB Control No. 7100-0247. The FRB supporting statement should form the decisional basis for the OMB action. This submission discusses the burden imposed by the Office of Thrift Supervision (OTS) by requiring that "Reason for Denial", an optional column on the approved FRB HMDA form, be completed, whenever applicable, by all institutions regulated by OTS.

Current Actions: OTS proposes to renew this information collection without revision.

Type of Review: Renewal.

Affected Public: Business or For Profit.

Estimated Number of Respondents: 3,000,000.

Estimated Time Per Respondent: 0.03 hours.

Estimated Total Annual Burden Hours: 90,000 hours.

Request for Comments: The OTS will summarize comments submitted in response to this notice or will include these comments in its request for OMB approval. All comments will become a matter of public record. The OTS invites comment on: (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 estimate of the burden of the collection of information; (c) ways to enhance the quality; (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or starting costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: May 20, 1999.

Frank DiGialleonardo,

CIO and Director, Office of Information Systems.

[FR Doc. 99-13469 Filed 5-26-99; 8:45 am]

BILLING CODE 6720-01-P

UNITED STATES INFORMATION AGENCY

Notice of Receipt of Cultural Property Request From the Government of the Kingdom of Cambodia

AGENCY: United States Information Agency.

ACTION: Notice of receipt of cultural property request from the Government of the Kingdom of Cambodia.

The Government of the Kingdom of Cambodia made a cultural property request to the Government of the United States under Article 9 of the 1970 UNESCO Convention. The request was received on May 20, 1999, by the United States Information Agency. It seeks U.S. protection of certain categories of archaeological material the pillage of which, it is alleged, jeopardizes the national cultural patrimony of Cambodia. In accordance with the provisions of the Convention on Cultural Property Implementation Act (19 U.S.C. 2603 *et seq.*) the request will be reviewed by the Cultural Property Advisory Committee which will develop recommendations before a final determination is made.

Dated: May 21, 1999.

Harriet L. Elam,

Acting Director, United States Information Agency.

[FR Doc. 99-13512 Filed 5-26-99; 8:45 am]

BILLING CODE 8230-01-M

UNITED STATES INFORMATION AGENCY

Notice of Meeting of the Cultural Property Advisory Committee

AGENCY: United States Information Agency.

ACTION: Notice of meeting of the Cultural Property Advisory Committee.

The Cultural Property Advisory Committee will meet on Monday, June 14, 1999, from approximately 9:30 a.m. to approximately 5 p.m., and on June 15 from approximately 9 a.m. to approximately 12 noon, at the U.S. Information Agency, Room 840, 301 4th St., SW., Washington, DC, to review a cultural property request from the Government of the Kingdom of Cambodia to the Government of the United States seeking protection of certain archaeological materials. A portion of the meeting, from approximately 9:30 a.m. to approximately 11 a.m. on June 14, will be open to interested parties wishing to provide comment to the Committee that may have relevance to this request. The Cambodia request, submitted under Article 9 of the 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, will be considered in accordance with the provisions of the Convention on Cultural Property Implementation Act