

**DATES:** Comments must be received by March 15, 2004.

**ADDRESSES:** Written comments (preferably in triplicate) may be addressed to the Regulations Branch, Office of Regulations and Rulings, Bureau of Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Washington, DC 20229. Comments submitted may be inspected at the Regulations Branch, Office of Regulations and Rulings, Bureau of Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 572-8768.

**FOR FURTHER INFORMATION CONTACT:** Greg Olsavsky, Chief, Fines Penalties & Forfeitures Branch, (202) 927-3119.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 162.45 of the Customs Regulations (19 CFR 162.45) sets forth the procedure that the Bureau of Customs and Border Protection (CBP) must follow when it seizes and gives notice of intent to forfeit property under administrative forfeiture proceedings, as required by section 607 of the Tariff Act of 1930, as amended (19 U.S.C. 1607). The statutory language allows for administrative forfeiture when CBP seizes (1) a prohibited importation; (2) a transporting conveyance if used to import, export, transport or store a controlled substance or listed chemical; (3) any monetary instrument within the meaning of 31 U.S.C. 5312(a)(3); or (4) any conveyance, merchandise or baggage for which its value does not exceed \$500,000.

Specifically, current § 162.45(b), Customs Regulations, addresses publication of notices under administrative forfeiture proceedings. If the value of the seized property exceeds \$2,500, paragraph (b)(1) requires publication of administrative forfeiture notices in a newspaper circulated at the Customs port and in the judicial district where the seizure occurred. All known parties-in-interest are notified of the newspaper and expected dates of publication of the notice.

It is proposed to amend § 162.45(b)(1) to raise the value threshold of property for which CBP must publish an administrative forfeiture notice in a newspaper from \$2,500 to \$5,000.

When the value of the seized property does not exceed \$2,500, current paragraph (b)(2) of § 162.45 allows CBP to publish a notice of seizure and intent to forfeit by posting it in a conspicuous place accessible to the public at the

customhouse nearest the place of seizure. If the proposed amendment to paragraph (b)(1) is adopted, the applicability of paragraph (b)(2) would be automatically expanded to seizures of property valued under \$5,000.

CBP last changed the regulation in 1985, when it increased the dollar threshold from \$250 to \$2,500. Since then, inflation has often caused the costs of publication in large metropolitan areas to exceed \$2,500. Thus, in many cases the publication costs can be prohibitive when compared to the value of the property advertised.

If implemented, the proposed change to the regulations would result in estimated yearly savings of at least \$147,000, based on FY 2002 expenditure levels.

**Comments**

Before adopting this proposed regulation as a final rule, consideration will be given to any written comments timely submitted to CBP, including comments on the clarity of this proposed rule and how it may be made easier to understand. Comments submitted will be available for public inspection in accordance with the Freedom of Information Act (5 U.S.C. 552) and § 103.11(b), Customs Regulations (19 CFR 103.11(b)), on normal business days between the hours of 9 a.m. and 4:30 p.m. at the Regulations Branch, Office of Regulations and Rulings, Bureau of Customs and Border Protection, 799 9th Street, NW., 5th Floor, Washington, DC. Arrangements to inspect submitted comments should be made in advance by calling Mr. Joseph Clark at (202) 572-8768.

**Regulatory Flexibility Act and Executive Order 12866**

CBP does not anticipate that the proposed amendment will have an impact on private parties, as it pertains to the agency's internal operating procedures. For that reason, it is certified that the proposed amendment, if adopted, will not have a significant economic impact on a substantial number of small entities, pursuant to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Accordingly, it is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

For the same reasons, this document does not meet the criteria for a "significant regulatory action" as specified in E.O. 12866.

**Drafting Information**

The principal author of this document was Mr. Fernando Pena, Office of

Regulations and Rulings, Customs and Border Protection. However, personnel from other Bureau offices participated in its development.

**Signing Authority**

This regulation is being issued in accordance with 19 CFR 0.1 (b)(1).

**List of Subjects in 19 CFR Part 162**

Administrative practice and procedure, Customs duties and inspection, Drug traffic control, Exports, Imports, Inspection, Law enforcement, Penalties, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Search warrants, Seizures and forfeitures.

**Proposed Amendment to the Regulations**

For the reasons stated above, it is proposed to amend part 162 of the Customs Regulations (19 CFR part 162) as set forth below.

**PART 162—INSPECTION, SEARCH, AND SEIZURE**

1. The general authority citation for part 162 and the specific authority citation for § 162.45 continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1592, 1593a, 1624.

\* \* \* \* \*

Section § 162.45 also issued under 19 U.S.C. 1607, 1608.

\* \* \* \* \*

**§ 162.45 [Amended]**

2. It is proposed to amend the first sentence of paragraph (b)(1) of § 162.45 by removing the monetary amount "\$2,500" and adding in its place "\$5,000".

Dated: January 8, 2004.

**Robert C. Bonner,**

*Commissioner, Customs and Border Protection.*

[FR Doc. 04-724 Filed 1-13-04; 8:45 am]

BILLING CODE 4820-02-P

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**24 CFR Part 1000**

[Docket No. FR-4676-N-12]

**Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee; Meeting**

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Notice of Negotiated Rulemaking Committee meeting.

**SUMMARY:** This document announces the final meeting of the Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee. The purpose of the Committee is to discuss and negotiate a proposed rule that would change the regulations for the Indian Housing Block Grant (IHBG) program allocation formula, and other regulatory issues that arise out of the allocation or reallocation of IHBG funds.

**DATES:** The committee meeting will be held on Tuesday, January 13, 2004, Wednesday, January 14, 2004, Thursday, January 15, 2004, and Friday, January 16, 2004. The committee meeting will begin at approximately 8:30 a.m. on Tuesday, January 13, 2004, and is scheduled to adjourn at approximately 6:30 p.m. on Friday, January 16, 2004.

**ADDRESSES:** The meeting will take place at the Crowne Plaza Hotel, 4255 S. Paradise Road, Las Vegas, NV 89109; telephone (702) 369-4400 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Rodger J. Boyd, Deputy Assistant Secretary for Native American Programs, Room 4126, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000, telephone, (202) 401-7914 (this is not a toll-free number). Hearing or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

HUD has established the Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee for the purposes of discussing and negotiating a proposed rule that would change the regulations for the Indian Housing Block Grant (IHBG) program allocation formula, and other IHBG program regulations that arise out of the allocation or reallocation of IHBG funds.

The IHBG program was established under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*) (NAHASDA). NAHASDA reorganized housing assistance to Native Americans by eliminating and consolidating a number of HUD assistance programs in a single block grant program. In addition, NAHASDA provides federal assistance for Indian tribes in a manner

that recognizes the right of Indian self-determination and tribal self-government. Following the procedures of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561-570), HUD and its tribal partners negotiated the March 12, 1998 (63 FR 12349) final rule, which created a new 24 CFR part 1000 containing the IHBG program regulations.

This document announces the final meeting of the Native American Housing Assistance and Self-Determination Negotiated Rulemaking Committee. The committee meeting will take place as described in the **DATES** and **ADDRESSES** section of this document. The agenda planned for the meeting includes discussion and approval of draft regulatory language. The meeting will be open to the public without advance registration. Public attendance may be limited to the space available. Members of the public may be allowed to make statements during the meeting, to the extent time permits, and file written statements with the committee for its consideration. Written statements should be submitted to the address listed in the **FOR FURTHER INFORMATION** section of this document.

Dated: January 9, 2004.

**Rodger J. Boyd,**

*Deputy Assistant Secretary for Native American Programs.*

[FR Doc. 04-827 Filed 1-13-04; 8:45 am]

**BILLING CODE 4210-33-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 110**

**[CGD05-03-036]**

**RIN 1625-AA01**

**Baltimore Harbor Anchorage Project**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Supplemental notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to amend the geographic coordinates and modify the regulated use of the anchorages in Baltimore Harbor, MD. The Army Corps of Engineers and the Coast Guard discussed changes to the coordinates of Anchorage 2 after the comment period for the Baltimore Harbor Anchorage Project notice of proposed rulemaking (NPRM) had closed. The discussions resulted in two changes not yet commented on by the public. This supplemental notice of proposed rulemaking solicits comments

for those two additional changes plus all original changes included in the NPRM. An explanation of the two additional proposed changes can be found in the "Discussion of Rule" section of this document.

**DATES:** Comments and related material must reach the Coast Guard on or before February 13, 2004.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05-03-036 and are available for inspection or copying at Commander, Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23704-5004 between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Junior Grade Timothy Martin, Fifth Coast Guard District Aids to Navigation and Waterways Management Branch, (757) 398-6285, e-mail: [trmartin@lantd5.uscg.mil](mailto:trmartin@lantd5.uscg.mil).

**SUPPLEMENTARY INFORMATION:**

**Request for Comments**

The Coast Guard encourages you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CGD 5-03-036), indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

**Public Meeting**

The Coast Guard does not now plan to hold a public meeting. But you may submit a request for a meeting by writing to the Aids to Navigation and Waterways Management Branch at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

**Regulatory History**

On July 2, 2003, the Coast Guard published an NPRM in the **Federal Register** titled "Baltimore Harbor Anchorage Project" (68 FR 39503)