

other cases must be addressed on a case-by-case basis. No retroactive effect will be given to this rule, and this rule will not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection or recordkeeping requirements included in this rule have been approved by the Office of Management and Budget (OMB) under OMB control number 0579-0321.

E-Government Act Compliance

The Animal and Plant Health Inspection Service is committed to compliance with the E-Government Act to promote the use of the Internet and

other information technologies, to provide increased opportunities for citizen access to Government information and services, and for other purposes. For information pertinent to E-Government Act compliance related to this rule, please contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 734-7477.

List of Subjects in 7 CFR Part 305

Irradiation, Phytosanitary treatment, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements.

Accordingly, we are amending 7 CFR part 305 as follows:

PART 305—PHYTOSANITARY TREATMENTS

1. The authority citation for part 305 continues to read as follows:

Authority: 7 U.S.C. 7701-7772 and 7781-7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

- 2. In § 305.2, the table in paragraph (h)(2)(i) is amended as follows:
 - a. Under Argentina, by revising the entry for "Blueberry" to read as set forth below.
 - b. Under South Africa, by removing the entry for "Apple, grape, pear" and adding a new entry for "Apple, blueberry, grape, pear" in its place to read as set forth below.
 - c. In the entry for Uruguay, by adding an entry for "Blueberry" to read as set forth below.

§ 305.2 Approved treatments.

*	*	*	*	*
(h)	*	*	*	
(2)	*	*	*	
(i)	*	*	*	

Location	Commodity	Pest	Treatment schedule
Argentina	Blueberry	<i>Anastrepha fraterculus, Ceratitis capitata</i>	CT T107-a-1 or MB T101-i-1-1.
South Africa	Apple, blueberry, grape, pear	<i>Ceratitis capitata</i>	CT T107-a.
Uruguay	Blueberry	<i>Anastrepha fraterculus, Ceratitis capitata</i>	CT T107-a-1.

Done in Washington, DC, this 12th day of September 2007.
 Kevin Shea,
 Acting Administrator, Animal and Plant Health Inspection Service.
 [FR Doc. E7-18276 Filed 9-14-07; 8:45 am]
 BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1739

RIN 0572-AC09

Community Connect Broadband Grant Program

AGENCY: Rural Utilities Service, USDA.
ACTION: Notice of confirmation of direct final rule.

SUMMARY: The Rural Utilities Service, an agency delivering the United States Department of Agriculture (USDA) Rural Development Utilities Programs, hereinafter referred to as Rural Development and/or the Agency, gives notice that no adverse comments were received regarding the direct final rule amending its regulations to update the eligibility criteria for the Community Connect Broadband Grant Program (Community Connect Grant Program) requirements of the Agency, and confirms the effective date of the direct final rule.

DATES: The direct final rule published in the **Federal Register** on August 3, 2007 (72 FR 43132), will be effective on September 17, 2007.

FOR FURTHER INFORMATION CONTACT: Kenneth Kuchno, Director, Broadband Division, USDA Rural Development, 1400 Independence Avenue, SW., STOP 1599, Washington, DC 20250-1599.

Telephone: (202) 690-4673. Fax: (202) 690-4389. E-mail Address: Kenneth.kuchno@usda.gov.

SUPPLEMENTARY INFORMATION:

Background

The USDA Rural Development Utilities Programs (the Agency) improves the quality of life in rural America by providing investment capital, in the form of loans and grants, for the deployment of rural telecommunications infrastructure. Financial assistance is provided to rural utilities; municipalities; commercial corporations; limited liability companies; public utility districts; Indian tribes; and cooperative, nonprofit, limited-dividend, or mutual associations. In order to achieve the goal of increasing economic opportunity in rural America, the Agency finances infrastructure that enables access to a seamless, nation-wide

telecommunications network. With access to the same advanced telecommunications networks of its urban counterparts, especially broadband networks designed to accommodate distance learning, telework and telemedicine, rural America will see improving educational opportunities, health care, economies, safety and security, and ultimately higher employment. Of particular concern to the Agency are communities where broadband service is not available and where population densities are such that the cost of deployment to them is high and build-out of infrastructure is unlikely. The Agency is committed to ensuring rural communities will have access to affordable, reliable, advanced communications services, comparable to those available throughout the rest of the United States, to provide a healthy, safe and prosperous place to live and work. The Community Connect Grant Program was started as a Pilot Program with the Fiscal Year 2002 budget and has been funded ever since through the appropriations process. After administering the program as a pilot program for two years, the Agency proposed rules for the program, and on July 28, 2004, the current rules were published, and the program was formally implemented. Since then more than 670 requests for grant funds totaling over \$410 million were requested through Fiscal Year 2006. Of those requests, 129 were granted for \$57 million to bring broadband service to 129 communities in 26 states and Puerto Rico. While the Agency is proud of the results achieved in the Community Connect Grant Program thus far, it believes that the overall effectiveness of the program can be improved by modifying the existing rules. Through these changes, the Agency is increasing eligibility criteria to include communities that clearly meet the intent of the program. Specifically, this rule will: (1) Add the Rand McNally Atlas as a community locator; (2) change the income measure for eligibility from a national comparison to a state comparison; and (3) clarify the items that are eligible to be considered as operating expenses.

Confirmation of Effective Date

This is to confirm the effective date of September 17, 2007, for the direct final rule 7 CFR 1739, Community Connect Grant Program, published in the **Federal Register** on August 3, 2007.

Dated: September 11, 2007.

James M. Andrew,

Administrator, Rural Utilities Service.

[FR Doc. E7-18272 Filed 9-14-07; 8:45 am]

BILLING CODE 3410-15-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

DEPARTMENT OF THE TREASURY

19 CFR Parts 103, 178, and 181

[USCBP-2006-0090; CBP Dec. 07-76]

RIN 1505-AB58

NAFTA: Merchandise Processing Fee Exemption and Technical Corrections

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

ACTION: Final rule.

SUMMARY: This document amends the U.S. Customs and Border Protection (CBP) regulations to clarify that, in order to claim the exemption from the merchandise processing fee (MPF) for merchandise that is considered “originating” and qualifies to be marked as products of Canada or Mexico under the provisions of the NAFTA, an importer is subject to the same declaration requirement that is established for obtaining NAFTA duty preference, even if the merchandise is unconditionally free. In addition, this document amends the regulations to clarify that a Certificate of Origin is not required for a commercial importation for which the total value of originating goods does not exceed \$2,500. Lastly, this document remedies two incorrect addresses and an incorrect Code of Federal Regulations citation, and incorporates non-substantive amendments to certain sections in the regulations to reflect the nomenclature changes effected by the transfer of CBP to the Department of Homeland Security and the reorganization of certain offices in CBP pursuant to the “Security and Accountability for Every Port Act of 2006” (or the “Safe Port Act”), as well as certain other minor editorial changes.

DATES: *Effective Date:* The amendments set forth in this document are effective on October 17, 2007.

FOR FURTHER INFORMATION CONTACT: Seth Mazze, Trade Agreements Branch, Office of International Trade, (202) 344-2634.

SUPPLEMENTARY INFORMATION:

Background

On December 17, 1992, the United States, Canada, and Mexico entered into the North American Free-Trade Agreement (NAFTA). The stated objectives of the NAFTA include the elimination of barriers to trade in, and the facilitation of the cross-border movement of, goods and services between the territories of the countries. The provisions of the NAFTA were adopted by the United States with the enactment of the North American Free Trade Agreement Implementation Act (the “Act”, 19 U.S.C. 3301-3473). On September 6, 1995, U.S. Customs and Border Protection (CBP) published Treasury Decision (T.D.) 95-68 (North American Free Trade Agreement) in the **Federal Register** (60 FR 46333), adopting amendments to the regulations in title 19 of the Code of Federal Regulations (CFR) in order to implement customs-related aspects of the NAFTA. The final rule went into effect on October 1, 1995.

Pursuant to sections 403(1) and 411 of the Homeland Security Act of 2002, Pub. L. 107-296 (the “HSA”), the United States Customs Service and certain of its functions were transferred from the Department of the Treasury to the Department of Homeland Security effective March 1, 2003. In addition, pursuant to section 1502 of the HSA, the “Customs Service” was renamed as the “Bureau of Customs and Border Protection.” Subsequently, on April 23, 2007, a Notice was published in the **Federal Register** (72 FR 20131) to inform the public that the name of the Bureau of Customs and Border Protection had been changed by the Department of Homeland Security to “U.S. Customs and Border Protection (CBP)”, effective March 31, 2007.

On August 23, 2006, a Notice of Proposed Rulemaking was published in the **Federal Register** (71 FR 49391; the NPRM) by CBP that proposed to amend the regulations to clarify the requirements for claiming the merchandise processing fee (MPF) under the NAFTA and to effect several technical changes, as set forth below.

Merchandise Processing Fee (MPF) Exemption

As a means of recouping administrative expenses for the processing of imported shipments, CBP charges a MPF, as provided for in 19 U.S.C. 58c. However, under 19 U.S.C. 58c(b)(10)(B), for goods qualifying under the rules of origin set out in 19 U.S.C. 3332, the fee may not be charged with respect to goods that qualify to be marked as goods of Canada or of Mexico