

MFTA and the Act and will be used by CBP to determine eligibility for a tariff preference or other rights or benefits under the MFTA and the Act. The likely respondents are business organizations including importers, exporters, and manufacturers.

The estimated average annual burden associated with the collection of information in this final rule is 0.2 hours per respondent or record keeper. Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

**Signing Authority**

This document is being issued in accordance with § 0.1(a)(1) of the CBP regulations (19 CFR 0.1(a)(1)) pertaining to the authority of the Secretary of the Treasury (or his/her delegate) to approve regulations related to certain customs revenue functions.

**List of Subjects**

19 CFR Part 10

Alterations, Bonds, Customs duties and inspection, Exports, Imports, Preference programs, Repairs, Reporting and recordkeeping requirements, Trade agreements.

19 CFR Part 102

Customs duties and inspections, Imports, Reporting and recordkeeping requirements, Rules of origin, Trade agreements.

19 CFR Part 162

Administrative practice and procedure, Customs duties and inspection, Penalties, Trade agreements.

19 CFR Part 163

Administrative practice and procedure, Customs duties and inspection, Export, Import, Reporting and recordkeeping requirements, Trade agreements.

19 CFR Part 178

Administrative practice and procedure, Exports, Imports, Reporting and recordkeeping requirements.

**Amendments to the CBP Regulations**

■ Accordingly, the interim rule amending parts 10, 162, 163, and 178 of the CBP regulations (19 CFR parts 10, 162, 163, and 178), which was published at 72 FR 35647 on June 29, 2007, is adopted as a final rule with certain changes as discussed above and as set forth below.

**PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.**

■ 1. The general authority citation for Part 10 and the specific authority for Subpart M continue to read as follows:

**Authority:** 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

\* \* \* \* \*

Sections 10.761 through 10.787 also issued under Public Law 108-302, 118 Stat. 1103 (19 U.S.C. 3805 note).

\* \* \* \* \*

■ 2. Section 10.761 is amended by revising the last sentence to read as follows:

**§ 10.761 Scope.**

\* \* \* Additional provisions implementing certain aspects of the MFTA and the Act are contained in Parts 102, 162, and 163 of this chapter.

■ 3. Section 10.769 is amended by revising paragraph (i) and removing paragraph (o). Revised paragraph (i) reads as follows:

**§ 10.769 Definitions.**

\* \* \* \* \*

(i) *New or different article of commerce.* A “new or different article of commerce” exists when the country of origin of a good which is produced in a Party from foreign materials is determined to be that country under the provisions of §§ 102.1 through 102.21 of this chapter;

\* \* \* \* \*

**§ 10.770 [Amended]**

■ 4. Section 10.770 is amended by adding the words “, as defined in § 10.769(i) of this subpart,” immediately following the words “new or different article of commerce” in paragraph (a)(2).

**§ 10.785 [Removed]**

■ 5. Section 10.785 is removed.

**§§ 10.786 through 10.788 [Redesignated as § 10.785 through 10.787]**

■ 6. Sections 10.786 through 10.788 are redesignated as §§ 10.785 through 10.787, respectively.

**PART 102—RULES OF ORIGIN**

■ 7. The authority citation for part 102 continues to read as follows:

**Authority:** 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States), 1624, 3314, 3592.

■ 8. Section 102.0 is amended by revising the third sentence to read as follows:

**§ 102.0 Scope.**

\* \* \* The rules set forth in §§ 102.1 through 102.21 of this part will also apply for purposes of determining whether an imported good is a new or different article of commerce under § 10.769 of the United States-Morocco Free Trade Agreement regulations and § 10.809 of the United States-Bahrain Free Trade Agreement regulations.\* \* \*

**W. Ralph Basham,**

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

Approved: July 31, 2008.

**Timothy E. Skud,**

*Deputy Assistant Secretary of the Treasury.*

[FR Doc. E8-17968 Filed 8-4-08; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 64**

[CG Docket No. 03-123; DA 08-1589]

**Consumer and Governmental Affairs Bureau Clarifies the Transferability of Telecommunications Relay Service (TRS) Provider Certification**

**AGENCY:** Federal Communications Commission.

**ACTION:** Clarification.

**SUMMARY:** In this document, the Consumer and Governmental Affairs Bureau (Bureau) responds to requests for guidance concerning the transferability of Commission certification of Internet-based TRS providers as eligible for compensation from the Interstate TRS Fund (Fund). The Bureau clarifies that such certification is not transferable.

**FOR FURTHER INFORMATION CONTACT:** Gregory Hlibok, Consumer and Governmental Affairs Bureau, Disability Rights Office at (800) 311-4381 (voice), (202) 418-0431 (TTY), or e-mail at *Gregory.Hlibok@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission’s document DA 08-1589, released July 3, 2008 in CG Docket No. 03-123. The full text of document DA 08-1589 and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. Document DA 08-1589 and copies of subsequently filed documents in this matter also may be purchased from the Commission’s duplicating contractor at

Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact the Commission's duplicating contractor at its Web site <http://www.bcpweb.com> or by calling 1-800-378-3160. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). Document DA 08-1589 also can be downloaded in Word or Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/dro/trs.html#orders>.

### Synopsis

There are several forms of TRS, including three that are Internet-based TRS: Video Relay Service (VRS), Internet Protocol (IP) Relay (IP Relay), and IP captioned telephone service (IP CTS). The Bureau has received requests for guidance concerning the transferability of Commission certification of Internet-based TRS providers as eligible for compensation from the Fund, pursuant to the provider certification rules contained in 47 CFR 64.606 (as redesignated at 73 FR 21259, Apr. 21, 2008). The Bureau clarifies that such certification is not transferable. Therefore, in the event that an entity *not* certified pursuant to 47 CFR 64.606 purchases, acquires, or merges with another TRS provider, the acquiring or surviving provider must be certified under 47 CFR 64.606 (or otherwise eligible for compensation from the Fund) before it can receive payments from the Fund. Because the Commission certifies providers based on the attestations of their owners or their representatives, who are ultimately responsible for compliance with the Commission's rules, the certification of a provider does not automatically transfer to new owners.

On the other hand, if an entity that *is* certified pursuant to 47 CFR 64.606 purchases, acquires, or merges with another TRS provider, the acquiring or surviving provider need only notify the Commission of the change in its TRS program and provision of service within 60 days pursuant to 47 CFR 64.606(f)(2). Under this rule, the acquiring or surviving company must notify the Commission of the changes to its program and provision of service that result from the acquisition and "must certify that the interstate TRS provider continues to meet federal minimum standards." To meet the latter requirement, the provider may either certify that the responses provided in its initial certification application upon

which the Commission based certification remain accurate, or describe any changes and certify their compliance with the Commission's rules.

Federal Communications Commission.

**Nicole McGinnis,**

*Deputy Chief, Consumer and Governmental Affairs Bureau.*

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**BILLING CODE 6712-01-P**

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 08-0137]

RIN 2127-AK36

#### Federal Motor Vehicle Safety Standards, Child Restraint Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Final rule.

**SUMMARY:** This final rule amends a provision in Federal Motor Vehicle Safety Standard (FMVSS) No. 213 that specifies that child restraints manufactured on or after August 1, 2008 are tested by NHTSA with the Hybrid III version of the 6-year-old child dummy. NHTSA is postponing the August 1, 2008 date to August 1, 2010. The August 1, 2010 date provides NHTSA time to consider comments on seating procedures proposed earlier this year for the dummy and to complete an evaluation of technical issues relating to the use of the Hybrid III dummy in FMVSS No. 213, and provides the public more time to become experienced with testing with the dummy. As a result of this final rule, FMVSS No. 213 will permit, at the manufacturer's option, the use of either the Hybrid II or Hybrid III 6-year-old dummy in compliance tests of child restraints manufactured on or before August 1, 2010. Child restraints manufactured on or after August 1, 2010 will be tested with the Hybrid III 6-year-old child test dummy.

**DATES:** If you wish to petition for reconsideration of this rule, your petition must be received by September 19, 2008.

*Effective date:* This final rule is effective August 5, 2008.

**ADDRESSES:** If you wish to petition for reconsideration of this rule, you should refer in your petition to the docket

number of this document and submit your petition to: Administrator, National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., West Building, Washington, DC 20590.

The petition will be placed in the docket. Anyone is able to search the electronic form of all documents received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78).

**FOR FURTHER INFORMATION CONTACT:** For technical issues, you may call Shashi Kuppia, PhD, Office of Rulemaking (Telephone: 202-366-1740) (Fax: 202-493-2990). For legal issues, you may call Deirdre Fujita, Office of Chief Counsel (Telephone: 202-366-2992) (Fax: 202-366-3820). You may send mail to these officials at the National Highway Traffic Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building, Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:** This final rule amends S7.1.3 of FMVSS No. 213 to permit, at the manufacturer's option, the use of either the Hybrid II or Hybrid III 6-year-old dummy in compliance tests of child restraints manufactured before August 1, 2010. A notice of proposed rulemaking preceding this final rule was published January 23, 2008 (73 FR 3901, Docket No. 2007-0048).

### Background

On July 28, 2005, NHTSA issued an interim final rule (70 FR 44520) that amended a provision in FMVSS No. 213 that had specified that child restraints<sup>1</sup> manufactured on or after August 1, 2005 would be subject to compliance testing with a Hybrid III 6-year-old child test dummy (August 3, 2005, Docket No. 05-22010). The Hybrid III 6-year-old child test dummy is specified in 49 CFR part 572, subpart N. The agency had incorporated the Hybrid III test dummy in FMVSS No. 213 to replace its Hybrid II counterpart believing that the Hybrid III test dummy's enhanced biofidelity and extensive instrumentation would lead to a more thorough and precise assessment of child restraint performance over that resulting from the Hybrid II dummy. However, a child

<sup>1</sup> These child restraints are recommended by their manufacturer for children weighing over 18 kilograms (40 pounds (lb)) or whose height is greater than 1100 millimeters.