

C. Meeting Procedure

This meeting is open to the public. At the discretion of the Chair, members of the public may make oral presentations during the meeting. If you would like to make an oral presentation at the meeting, please notify Mr. Jeff Ludwig as described in the **ADDRESSES** section above. If you would like a copy of your material distributed to each member of the Council in advance of the meeting, please submit thirty (30) of copies to Mr. Jeff Ludwig by March 13, 2009.

Please note that the meeting may conclude early if all business is finished.

D. Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meeting, contact Mr. Jeff Ludwig as described in the **ADDRESSES** section above as soon as possible.

Dated: February 27, 2009.

J.A. Watson,

Rear Admiral, U.S. Coast Guard, Director of Prevention Policy.

[FR Doc. E9-4810 Filed 3-5-09; 8:45 am]

BILLING CODE 4910-15-P

DEPARTMENT OF HOMELAND SECURITY

National Communications System

[Docket No. NCS-2009-0001]

President's National Security Telecommunications Advisory Committee

AGENCY: National Communications System, DHS.

ACTION: Notice of an open advisory committee meeting.

SUMMARY: The President's National Security Telecommunications Advisory Committee (NSTAC) will be meeting by teleconference; the meeting will be open to the public.

DATES: March 11, 2009, from 2 p.m. until 3 p.m.

ADDRESSES: The meeting will take place by teleconference. For access to the conference bridge and meeting materials, contact Ms. Sue Daage at (703) 235-5526 or by e-mail at sue.daage@dhs.gov by 5 p.m. March 6, 2009. If you desire to submit comments regarding the March 11, 2009, meeting they must be submitted by April 1, 2009. This deadline provides additional time for comments in consideration of this notice being provided less than 15 days prior to the meeting. Comments

must be identified by NCS-2009-0001 and may be submitted by one of the following methods:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

E-mail: NSTAC1@dhs.gov. Include docket number in the subject line of the message.

Mail: Office of the Manager, National Communications System (Customer Service Branch), Department of Homeland Security, 245 Murray Lane, SW., Washington, DC 20598-0615; *Fax:* 1-866-466-5370.

Instructions: All submissions received must include the words "Department of Homeland Security" and NCS-2009-0001, the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received by the NSTAC, go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Ms. Sue Daage, Customer Service Branch at (703) 235-5526, e-mail:

sue.daage@dhs.gov or write the Deputy Manager, National Communications System, Department of Homeland Security, 245 Murray Lane, SW., Washington, DC 20598-0615.

SUPPLEMENTARY INFORMATION: In compliance with 41 CFR 102-3.150(b), notice is hereby provided that less than 15 calendar days notice of this meeting is being provided due to exceptional circumstances, namely, that the NSTAC's input on the above issues has been requested by March 12, 2009, in order to inform in a timely manner the President's ongoing review of Federal cybersecurity policy.

NSTAC advises the President on issues and problems related to implementing national security and emergency preparedness telecommunications policy. Notice of this meeting is given under the Federal Advisory Committee Act (FACA), Public Law 92-463 (1972), as amended appearing in 5 U.S.C. App. 2.

At the upcoming open meeting, the NSTAC Principals will discuss the following four issues:

1. The government's role(s) in securing and protecting the critical infrastructures and private sector networks.
2. The adequacy of related Federal laws, regulations, and policies.
3. Organizational structures needed to support national security and emergency preparedness communications needs in a converged environment.

4. Actions related to the above issues which require immediate attention.

Persons with disabilities who require special assistance should indicate this when arranging access to the teleconference and are encouraged to identify anticipated special needs as early as possible.

Dated: March 2, 2009.

Nicholas E. Andre,

Acting Director, National Communications System.

[FR Doc. E9-4806 Filed 3-5-09; 8:45 am]

BILLING CODE 4410-10-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

National Customs Automation Program Test Concerning Automated Commercial Environment (ACE) Entry Summary, Accounts, and Revenue

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: U.S. Customs and Border Protection (CBP) will be conducting a National Customs Automation Program (NCAP) test concerning Automated Commercial Environment (ACE) Entry Summary, Accounts, and Revenue (ESAR II) capabilities. These new capabilities will include functionality specific to the filing and processing of formal consumption entries and informal entries. This entry summary processing will include Automated Broker Interface (ABI) Census Warning Overrides and will accommodate the issuance of certain CBP forms through the ACE Portal. Other new functionality will enhance Portal Account Management and allow for ACE Secure Data Portal reporting. This document announces the deployment schedule for this test.

DATES: The test will begin no earlier than March 15, 2009, at each port identified in this notice as part of the first cluster of ports designated for deployment. The test will continue until concluded by way of announcement in the **Federal Register**. Comments concerning this notice and all aspects of the announced test may be submitted at any time during the test period.

ADDRESSES: Comments concerning this notice should be submitted via e-mail to Janet Pence at ESARinfoinbo@dhs.gov. Please indicate "ESAR II **Federal Register** Notice" in the subject line of your e-mail.

FOR FURTHER INFORMATION CONTACT: For policy-related questions, please contact Cynthia Whittenburg at cynthia.whittenburg@dhs.gov. For technical questions that are non-ABI related, please contact Katrina Marbley at (703) 650-3285. For technical questions related to ABI transmissions, please contact your assigned client representative. Parties without an assigned client representative should direct their questions to the Client Representative Branch at (703) 650-3500.

SUPPLEMENTARY INFORMATION:

Background

On August 26, 2008, CBP published a General Notice in the **Federal Register** (73 FR 50337) announcing the agency's plan to conduct a new test concerning ACE Entry Summary, Accounts, and Revenue (ESAR II) capabilities that will provide new Portal and Electronic Data Interchange (EDI) capabilities specific to Entry Summary filing and processing of consumption and informal entries. The notice stated that functionality will include ABI Census Warning Overrides and issuance of CBP requests for information and notices of action through the ACE Portal, and that new functionality will enhance Portal Account Management and allow for ACE Secure Data Portal reporting. The notice indicated that this release of ESAR II initially will be limited only to formal entries, commonly referred to in the Automated Commercial System (ACS) as type 01 entries, and informal entries, commonly referred to in ACS as type 11 entries. The notice listed the ports where the test was expected to be deployed and requested that interested ABI participants wishing to submit type 01 and 11 entries for this test provide to CBP, within 60 days of the date of publication of the notice, the number of expected ACE entry summaries that will be submitted to the listed ports.

Importer and broker volunteers wishing to benefit from Portal functionality available in this test were also advised that they must have an ACE Portal Account. ABI volunteers wishing to participate in this test were advised that they must have the ability to:

- File entries on a statement, *i.e.*, no non-statement; single pay entry summaries will be allowed; and
- Use a software package that has completed ABI certification testing for ACE.

Changes to the Test

The August 26, 2008, notice indicated that participating importer, broker, and

carrier Portal Account types will be able to maintain certain declarations in the ACE Secure Data Portal. The notice stated that declarations that will be supported via the Portal would include: Affidavits of manufacturers; North American Free Trade Agreement (NAFTA) Certificates of Origin; Non-Reimbursement Blanket Statements (Anti-Dumping/Countervailing Duty (AD/CVD)); certain marking rulings; and importer certifying statements. CBP is announcing in this notice that the ACE Portal will not be supporting "certain marking rulings." All other declarations will be supported as noted in the August notice.

Additionally, CBP is announcing in this notice that, although this ESAR II test will support type 01 and 11 entry types filed through remote location filing, this will not be available on the first day of the test. CBP will support remote location filing at some point following the "go live" date of the test. CBP will issue a message to the trade via the "Cargo Systems Message System" alerting the trade that they may begin filing type 01 and 11 entries remotely.

Implementation of the Test

CBP received comments from 39 interested ABI participants in response to the August 26, 2008, notice. ABI respondents provided a breakdown of the anticipated type 01 and 11 ACE entry summaries to be submitted to the ports listed in the August 26, 2008, notice. All 39 ABI filers will receive e-mail notifications confirming their acceptance into the test.

Additionally, 17 software developers contacted their client representative with regard to their interest in ABI certification testing for ACE. All 17 software developers will be contacted by their client representative and will be advised as to the start of certification testing.

For purposes of this test, the system of origin (ACS or ACE) will determine the system of record for that entry summary. For example, if the entry summary is submitted in ACS, the system of record for that entry summary will be ACS. If the entry summary is submitted in ACE, the system of record for that entry summary will be ACE.

Based on the feedback received by CBP to the August 26, 2008, notice, CBP has determined that it will conduct the ESAR II test in a phased approach as set forth below.

I. Initial Stage—No Earlier Than March 15, 2009

At the initial stage of the test, transmission of ACE entry summaries will be limited to the following ports:

- Buffalo, New York;
- Chicago, Illinois;
- Long Beach, California; and
- Laredo, Texas.

Any of the 39 respondents who anticipate transmitting type 01 and 11 entries at the above indicated ports should do so no earlier than March 15, 2009.

For purposes of clarification, the port of Long Beach, California includes Long Beach (port code 2709) and Los Angeles (port code 2704), but does not include the Los Angeles Airport (port code 2720).

II. Second Stage—No Earlier Than April 15, 2009

During the second stage of the test, transmission of ACE entry summaries will be expanded to the following ports:

- Miami, Florida;
- New Orleans, Louisiana;
- Houston, Texas;
- San Francisco, California;
- Seattle, Washington;
- El Paso, Texas;
- Boston, Massachusetts;
- San Diego, California;
- Newark, New Jersey;
- J.F.K. Airport, New York;
- Baltimore, Maryland;
- Philadelphia, Pennsylvania;
- Cleveland, Ohio;
- Tucson, Arizona;
- Tampa, Florida;
- Detroit, Michigan; and
- Atlanta, Georgia.

Any of the 39 respondents who anticipate transmitting type 01 and 11 entries at the above indicated ports should do so no earlier than April 15, 2009.

III. Third Stage—No Earlier Than June 15, 2009

During the third and final stage of the test, transmission of ACE entry summaries will be expanded nationwide to all remaining ports.

Expansion of Participation

At this time, CBP would also like to invite any additional interested ABI applicants meeting the eligibility criteria specified in the August 26, 2008, notice to participate in the ESAR II test. Eligible ABI trade volunteers interested in submitting type 01 and 11 entries for this test to the ports identified above should contact their assigned client representative directly. Interested parties without an assigned client representative should contact the Client Representative Branch at (703) 650-3500. Filers will receive an e-mail notification confirming their acceptance into the test.

Interested software developers should similarly contact their client

representative with regard to their interest in ABI certification testing for ACE. All software developers will be contacted by their client representative and will be advised as to the start of certification testing.

Acceptance into this test does not guarantee eligibility for, or acceptance into, future technical tests. Participation in the ESAR II test will be expanded in the future as funding allows; however, the eligibility criteria may differ from the criteria listed in this and the August 26, 2008, notice. Additionally, expansion of this test to allow participation by future applicants may be delayed due to funding or technological constraints.

As stated in previous notices, participation in this or any of the previous ACE tests is not confidential and upon a written Freedom of Information Act request, a name(s) of an approved participant(s) will be disclosed by CBP in accordance with 5 U.S.C. 552. If necessary, CBP will reserve the right to limit the number of participants and locations during the initial stages of the test.

Previous Notices

All requirements and aspects of the ESAR II test discussed in the August 26, 2008, notice as well as in any other previous notices, except to the extent expressly modified by this notice, are hereby incorporated by reference and continue to be applicable.

Dated: March 3, 2009.

Daniel Baldwin,

Assistant Commissioner, Office of International Trade.

[FR Doc. E9-4844 Filed 3-5-09; 8:45 am]

BILLING CODE 9111-14-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5280-N-08]

Federal Property Suitable as Facilities To Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

Effective Date: March 6, 2009.

FOR FURTHER INFORMATION CONTACT:

Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street SW., Room 7262, Washington, DC

20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: February 26, 2009.

Mark R. Johnston,

Deputy Assistant Secretary for Special Needs.

[FR Doc. E9-4530 Filed 3-5-09; 8:45 am]

BILLING CODE 4210-67-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2009-N0052; 80221-1113-0000-F5]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing these permits.

DATES: Comments on these permit applications must be received on or before April 6, 2009.

ADDRESSES: Written data or comments should be submitted to the U.S. Fish and Wildlife Service, Endangered Species Program Manager, Region 8, 2800 Cottage Way, Room W-2606, Sacramento, CA 95825 (telephone: 916-414-6464; fax: 916-414-6486). Please refer to the respective permit number for each application when submitting comments. All comments received, including names and addresses, will become part of the official

administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT:

Daniel Marquez, Fish and Wildlife Biologist, see ADDRESSES, (telephone: 760-431-9440; fax: 760-431-9624).

SUPPLEMENTARY INFORMATION: The following applicants have applied for scientific research permits to conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*). The U.S. Fish and Wildlife Service ("we") solicits review and comment from local, State, and Federal agencies, and the public on the following permit requests. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Permit No. TE-205600

Applicant: Bonnie E. Peterson, Sacramento, California.

The applicant requests a permit to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), the Riverside fairy shrimp (*Streptocephalus wootoni*), the San Diego fairy shrimp (*Branchinecta sandiegonensis*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

Permit No. TE-797267

Applicant: H. T. Harvey and Associates, Los Gatos, California.

The applicant requests an amendment to take (capture, collect, and kill) the Conservancy fairy shrimp (*Branchinecta conservatio*), the longhorn fairy shrimp (*Branchinecta longiantenna*), the Riverside fairy shrimp (*Streptocephalus wootoni*), the San Diego fairy shrimp (*Branchinecta sandiegonensis*), and the vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with surveys throughout the range of each species in California for the purpose of enhancing their survival.

Permit No. TE-804203

Applicant: Stephen J. Meyers, Victorville California.