

Proposed Amendments to the CBP Regulations

For the reasons stated above, it is proposed to amend part 111 of title 19 of the CFR (19 CFR part 111) as set forth below.

PART 111—CUSTOMS BROKERS

1. The general authority citation for part 111 continues to read as follows:

Authority: 19 U.S.C. 66, 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)), 1624, 1641.

* * * * *

2. Section 111.24 is revised to read as follows:

§ 111.24 Records confidential.

(a) *Client Records.* The records referred to in this part and pertaining to the business of the clients serviced by the broker are considered confidential. Except as provided in paragraphs (b) and (c) of this section, the broker must not disclose the contents or any information connected with client records to any persons other than those clients, their surety on a particular entry, and the Field Director, Office of International Trade, Regulatory Audit, the CBP port director, the Immigration and Customs Enforcement agent, or other duly accredited officers or agents of the United States, except on subpoena by a court of competent jurisdiction.

(b) *Disclosure to Affiliated Entity Related to Broker.* Upon the client's consent in a written authorization to share client information outside the brokerage, a broker may disclose only to an affiliated entity related to the broker, information specified in the written authorization pertaining to the customs business of that client so that the affiliated entity may offer non-customs business services to the broker's client.

(c) *Other Third-Party Service Providers—(1) Photocopying and Scanning Services.* A broker may provide its clients' records to a third-party service provider for photocopying and/or scanning without violating the prohibitions set forth in the provisions of this part pertaining to confidentiality, provided that:

(i) The broker exercises due diligence in accordance with § 111.29(a) of this part in the selection of the third-party service provider for photocopying and/or scanning by ensuring that its association with the third-party does not violate the provisions in § 111.36(b) of this part; and

(ii) The broker enters into a non-disclosure agreement with the third-party service provider for photocopying and/or scanning that requires the third-

party to keep the information contained in any records pertaining to the broker's client confidential.

(2) *Messenger Services.* A broker may provide its clients' records to a third-party messenger service provider for transport and delivery without violating the prohibitions set forth in the provisions of this part pertaining to confidentiality, provided that the clients' records are sealed in such a manner so that the third-party messenger service provider may not view, alter, or amend the documents to be delivered.

Dated: October 21, 2010.

David V. Aguilar,

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

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DEPARTMENT OF JUSTICE

28 CFR Parts 35 and 36

RIN 1190-AA61; 1190-AA62; 1190-AA63; 1190-AA64

Nondiscrimination on the Basis of Disability in State and Local Government Services, Public Accommodations and in Commercial Facilities; Hearings

AGENCY: Civil Rights Division, Department of Justice.

ACTION: Notice of proposed hearings.

SUMMARY: On July 26, 2010, the Department of Justice (Department) published four Advanced Notices of Proposed Rulemaking (ANPRMs) in the **Federal Register** to amend regulations issued under the Americans with Disabilities Act (ADA). These four ANPRMs include: Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities and Public Accommodations; Nondiscrimination on the Basis of Disability in State and Local Government Services; Accessibility of Next Generation 9-1-1; Nondiscrimination on the Basis of Disability; Movie Captioning and Video Description; and Nondiscrimination on the Basis of Disability by State and Local Governments and Places of Public Accommodation; Equipment and Furniture. To provide an opportunity for interested persons to express their views directly to Department officials, the Department will hold three public hearings on the ANPRMs.

DATES: The hearing dates are:

1. November 18, 2010, 9:30 a.m. to 4 p.m., CST, Chicago, IL.
2. December 16, 2010, 9:30 a.m. to 4 p.m., EST, Washington, DC.
3. January 2011 in San Francisco, CA, on a date to be announced in the near future on the ADA Home Page at <http://www.ada.gov>.

ADDRESSES: The hearing locations are:

1. Access Living, 115 West Chicago Avenue, Chicago, IL 60654.
2. United States Access Board, 1331 F Street, NW., Washington, DC 20004.
3. San Francisco, CA, at a location to be announced in the near future on the ADA Home Page at <http://www.ada.gov>.

FOR FURTHER INFORMATION CONTACT:

Linda Garrett, Civil Rights Program Specialist, Disability Rights Section, Civil Rights Division at (202) 353-0423 (TTY). This is not a toll-free number. Information also may be obtained from the Department's toll-free ADA Information Line at (800) 514-0301 (Voice) or (800) 514-0383 (TTY), 9:30 a.m. to 5:30 p.m. Monday, Tuesday, Wednesday, and Friday, and 12:30 p.m. to 5 p.m. on Thursday.

SUPPLEMENTARY INFORMATION: On July 26, 2010, the Department published four ANPRMs seeking public comment on whether to revise the ADA regulations to address Web site accessibility, movie captioning and video description, accessible features for Next Generation 9-1-1, and accessible equipment and furniture. The Department has scheduled three public hearings on the ANPRMs to provide an opportunity to interested persons to express their views about the questions and issues raised in the ANPRMs. Entities, organizations, and individuals who wish to present comments at a particular hearing are encouraged to register in advance by calling the ADA Information Line at (800) 514-0301 (Voice) or (800) 514-0383 (TTY) at least five business days in advance of the hearing date. Organizations should designate no more than one individual to speak on behalf of the organization. Commenters who are not able to testify in person will have the option to present their comments using a speaker telephone, telephone relay service, or video relay service. The Department will attempt to provide an approximate time for the receipt of comments from those who register in advance; however, persons who register in advance should report to the registration desk at the hearing at least one-half hour prior to their scheduled time in order to confirm the time and order of their presentations. Those who register to comment via speaker telephone, telephone relay service, or video relay service should be

available at the number they provided during pre-registration at least one-half hour before their scheduled time.

Some time at the hearing will be reserved for those who do not register in advance. These persons may register on-site at the registration desk, which will open one hour before the hearing is scheduled to begin and will operate throughout the day. Time to make their presentations will be assigned when open slots are available.

Comments will be limited to five minutes per person or organization, but commenters who wish to may supplement their testimony with written statements that will be made part of the official hearing record. If the Department determines that there is not enough time to hear from all those wishing to present comments, the Department will select among those wishing to testify to ensure representation of a range of viewpoints and interests. A laptop computer and projection screen will be available for commenters wishing to use a PowerPoint presentation in conjunction with their testimony.

The hearing sites will be accessible to individuals with disabilities. Sign language interpreters, real-time captioning, and assistive listening devices will be provided. Individuals who require other accommodations, auxiliary aids, or foreign language translation should contact Linda Garrett at (202) 353-0423 (TTY) or by e-mail at Linda.Garrett@usdoj.gov no later than one week before the date of the hearing they wish to attend. Additional information, including information about accessible public transportation and parking, will be available on the ADA Home Page at <http://www.ada.gov>. The ANPRMs are available electronically in accessible formats at <http://www.regulations.gov> and <http://www.ada.gov>. This hearing notice is available electronically in accessible formats at <http://www.ada.gov>. Copies of this notice also are available in formats accessible to individuals who are blind or have low vision and may be obtained by calling the ADA Information Line.

Those persons who are not able to participate in the public hearing are encouraged to submit written comments electronically to <http://www.regulations.gov> or by mail as follows: Disability Rights Section, Civil Rights Division, U.S. Department of Justice, P.O. Box 2885, Fairfax, VA 22031-0885. Overnight deliveries should be sent to the Disability Rights Section, Civil Rights Division, U.S. Department of Justice, located at 1425 New York Avenue, NW., Suite 4039,

Washington, DC 20005. All comments will be made available for public viewing online at <http://www.regulations.gov> and must be received by January 24, 2011.

Dated: October 19, 2010.

Thomas E. Perez,

Assistant Attorney General for Civil Rights.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 51, 52, 72, 78, and 97

[EPA-HQ-OAR-2009-0491; FRL-9217-7]

Notice of Data Availability Supporting Federal Implementation Plans To Reduce Interstate Transport of Fine Particulate Matter and Ozone: Revisions to Emission Inventories

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of data availability (NODA).

SUMMARY: EPA is providing notice that it is supplementing the record for the Proposed Transport Rule (75 FR 45210). EPA has placed in the docket for the Proposed Transport Rule (Docket ID No. EPA-HQ-OAR-2009-0491) additional information relevant to the rulemaking, including updated emissions inventory data for 2005, 2012 and 2014 for several stationary and mobile source inventory components. The data revisions reflect new approaches to calculating emissions inventories for specific source categories and related new information and models that have become available since the emissions data were developed and modeled for the proposed rule. EPA is requesting comment on the new data provided in the docket and the proposed revisions identified in this document. These data and revisions could impact the final rule, although such impacts have not yet been quantified by EPA.

DATES: Comments on the NODA must be received on or before November 26, 2010. Please refer to **SUPPLEMENTARY INFORMATION** for additional information on submitting comments.

ADDRESSES: Submit your comments, identified by Docket ID No. EPA-HQ-OAR-2009-0491, by one of the following methods:

- <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- Fax: (202) 566-9744. Attention Docket ID No. EPA-HQ-OAR-2009-0941.

- *Mail:* EPA Docket Center, EPA West (Air Docket), Attention Docket ID No. EPA-HQ-OAR-2009-0491, U.S. Environmental Protection Agency, Mailcode: 2822T, 1200 Pennsylvania Ave., NW., Washington, DC 20460. Please include a total of 2 copies.

- *Hand Delivery:* U.S. Environmental Protection Agency, EPA West (Air Docket), 1301 Constitution Avenue, NW., Room 3334, Washington, DC 20004, Attention Docket ID No. EPA-HQ-OAR-2009-0491. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to Docket ID No. EPA-HQ-OAR-2009-0491. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through <http://www.regulations.gov> or e-mail. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through <http://www.regulations.gov>, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD-ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket, visit the EPA Docket Center homepage at <http://www.epa.gov/epahome/dockets.htm>.

Docket: All documents in the docket are listed in the <http://www.regulations.gov> index. Although listed in the index, some information is not publicly available, e.g., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material,