

The annual estimate of burden is as follows:

Questionnaires	Number of respondents	Responses per respondent	Total responses	Hours per response	Total burden hours
Participant Profile Form .....	9	240	2,160	.08	173
Acute Care Visit Form .....	9	240	2,160	.30	648
Ambulatory Care Visit Form .....	9	240	2,160	.30	648
Total .....	27	.....	6,480	.....	1,469

Email comments to [paperwork@hrsa.gov](mailto:paperwork@hrsa.gov) or mail the HRSA Reports Clearance Officer, Room 10–29, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857. Written comments should be received within 60 days of this notice.

Dated: May 24, 2012.

**Reva Harris,**

Acting Director, Division of Policy and Information Coordination.

[FR Doc. 2012–13124 Filed 5–30–12; 8:45 am]

BILLING CODE 4165–15–P

## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

#### Cancellation of Bond Subject to Enhanced Bonding Requirements Upon CBP's Acceptance of Qualified Superseding Bond Application

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

**ACTION:** General notice.

**SUMMARY:** This notice announces that U.S. Customs and Border Protection (CBP) will cancel a continuous bond where the liability amount was calculated pursuant to enhanced bonding requirements (EBR bond) upon the agency's acceptance of a qualified superseding bond application. CBP will accept a qualified superseding bond application pursuant to this notice only if posted by an importer who was not a litigant in any of the *National Fisheries Institute, Inc. v. United States Bureau of Customs & Border Protection (NFI v. CBP)* court cases and who establishes, to CBP's satisfaction, that no contingent liability remains secured by the predecessor EBR bond and that the EBR bond does not cover entries that are subject to a pending protest. The superseding bond must also feature a limit of liability that is calculated using CBP's current bond formula and must be for the same time period covered by the EBR bond. Nothing in this Notice should be construed as applying to

importers represented by the plaintiffs in the NFI litigation noted above, as their relief was granted by the Court.

**DATES:** A superseding bond application, including supporting documentation, must be received by CBP within 90 calendar days from the date the related preceding EBR bond becomes eligible under the conditions set forth in this Notice.

**ADDRESSES:** Superseding bond applications, including supporting documentation, must be sent either via mail to U.S. Customs and Border Protection, Office of Administration, Revenue Division, ATTN: Bond Team Intech 1, 6650 Telecom Drive, Indianapolis, IN 46278 or via email to [Cbp.bondquestions@dhs.gov](mailto:Cbp.bondquestions@dhs.gov) with a subject line of "Superseding Bond IR#."

**FOR FURTHER INFORMATION CONTACT:** Kara Welty, Revenue Division, Office of Administration, Customs and Border Protection, [kara.welty@dhs.gov](mailto:kara.welty@dhs.gov), Tel. (317) 614–4614.

#### SUPPLEMENTARY INFORMATION:

##### Background

##### I. Enhanced Bonding Requirements

In 2004, U.S. Customs and Border Protection (CBP) instituted a policy of reviewing the sufficiency of continuous bonds where the importer's importing activities involved merchandise subject to antidumping or countervailing duties (AD/CVD). CBP's review resulted in the imposition of enhanced bonding requirements (EBR) on importers of shrimp subject to AD/CVD. See 71 FR 62276, dated October 24, 2006.

##### II. Judicial Review

The legality of the enhanced bonding formula was challenged in the *NFI v. CBP* cases. See *Nat'l Fisheries Inst., Inc. v. CBP*, 465 F. Supp.2d 1300 (Ct. Int'l Trade 2006); *Nat'l Fisheries Inst., Inc. v. CBP*, 637 F. Supp.2d 1270 (Ct. Int'l Trade 2009); *Nat'l Fisheries Inst., Inc. v. CBP*, 714 F. Supp.2d 1231 (Ct. Int'l Trade 2010); and *Nat'l Fisheries Inst., Inc. v. CBP*, 751 F. Supp.2d 1318 (Ct. Int'l Trade 2010). See <http://www.cit>.

[uscourts.gov/slip\\_op/Slip\\_op10/10-120.pdf](http://uscourts.gov/slip_op/Slip_op10/10-120.pdf).

In Slip Opinion 10–120, the Court granted equitable relief to importers who were represented by the plaintiffs in *NFI v. CBP* (NFI Importers) and who had posted bonds calculated using the enhanced bonding formula (EBR bond). As a consequence of the court's decision, CBP cancelled NFI-Importers' EBR bonds upon their submission of replacement superseding bonds.

#### III. CBP Policy To Permit Cancellation of EBR Bond Upon Acceptance of Qualified Superseding Bond

CBP has now decided to implement a policy whereby the agency will accept a qualified superseding bond application that meets the conditions described in Section V of this Notice ("superseding" as used in the sense it is used in Slip Op. 10–120, page 6) from any importer who posted an EBR bond but who was not an NFI Importer (non-NFI importer). This policy will be in effect for a period of 90 calendar days from the date that the related preceding EBR bond no longer secures any remaining sum certain or contingent debt (including, but not limited to, unliquidated entries (see 19 U.S.C. 1500) and matters subject to 19 U.S.C. 1592 involving actual or potential loss of revenue. This policy is not applicable to NFI importers whose relief was granted by the Court.

A Non-NFI importer wishing to take advantage of this policy must ensure that CBP's Bond Team Intech 1, within the Office of Administration's Revenue Division, receives a qualified superseding bond application and supporting documentation within this 90 day period. The superseding bond application must be accompanied by supporting documentation that includes a statement as to the date the EBR no longer secured contingent liability, as well as a statement that the EBR does not cover entries that are subject to a pending protest pursuant to 19 U.S.C. 1514 or related regulations.

If CBP accepts a qualified superseding bond, CBP will notify the non-NFI importer by providing a copy of the

superseding CBP Form 301 and will cancel ("cancel" as used in the sense it is used in Slip Op. 10-120, at pages 11-13) the related preceding EBR bond. The superseding bond will be clearly annotated to distinguish it from the preceding EBR bond. An EBR bond is not cancelled unless CBP notifies the non-NFI importer that the superseding bond has been approved. CBP will return untimely submissions as well as those that are incomplete or rejected for any other reason, promptly. CBP is not responsible for delays in a non-NFI importer's receipt of a returned application.

As CBP is not a legal party to the contractual relationship between a surety and a principal, it is noted that the agency cannot assist in matters relating to obtaining a superseding bond.

#### IV. EBR Bond Conditions

To qualify for cancellation and replacement by a superseding bond pursuant to this policy, an EBR bond:

- Must not secure any remaining sum certain or contingent debt (including, but not limited to, unliquidated entries (*see* 19 U.S.C. 1500) and matters subject to 19 U.S.C. 1592 involving actual or potential loss of revenue); and
- Must not cover entries that are subject to a pending protest pursuant to 19 U.S.C. 1514 or related regulations.

#### V. Superseding Bond Conditions

Pursuant to this policy, a qualified superseding bond posted by a non-NFI importer must meet the following conditions:

- A superseding bond must feature a limit of liability in an amount no less than the dollar amount of the continuous importer bond that CBP would have accepted had the EBR requirement not existed on the bond effective date of the EBR bond. For example, if an EBR bond features a face amount of \$500,000 but would have featured a face amount of \$70,000 but for the EBR requirement, then the superseding bond must feature a face amount of at least \$70,000. A non-NFI importer can determine the correct amount of a superseding bond by multiplying the total of duties, taxes, and fees paid to CBP, for the twelve-month period immediately preceding the effective date of the original EBR, by ten (10) percent and rounding up as appropriate.

- A superseding bond must be for the same time period for which the related preceding EBR bond was in place. For example, if an EBR bond was in effect for a period from March 15, 2004, through April 1, 2005, then the

superseding bond, despite its execution date in 2011, must secure entries for March 15, 2004, through April 1, 2005.

- A superseding bond posted pursuant to 19 CFR 113.40 must include the posting of cash or other security for each annual period that the related EBR bond was in effect.

- A superseding bond application, including supporting documentation, must be received by CBP within 90 calendar days from the date that the related preceding EBR bond no longer secures any remaining sum certain or contingent debt (including, but not limited to, unliquidated entries (*see* 19 U.S.C. 1500) and matters subject to 19 U.S.C. 1592 involving actual or potential loss of revenue).

- A superseding bond application, and supporting documentation, must be sent either via mail to U.S. Customs and Border Protection, Office of Administration, Revenue Division, ATTN: Bond Team Intech 1, 6650 Telecom Drive, Indianapolis, IN 46278 or via email to [Cbp.bondquestions@dhs.gov](mailto:Cbp.bondquestions@dhs.gov) with a subject line of "Superseding Bond IR#."

Dated: May 25, 2012.

**David V. Aguilar,**

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

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**BILLING CODE 9111-14-P**

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5607-N-19]

### Notice of Proposed Information Collection; Comment Request: Multifamily Contractor's/Mortgagor's Cost Breakdowns and Certifications

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

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

**DATES:** *Comments Due Date:* July 30, 2012.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Reports Liaison Officer, Department of Housing and Urban Development, 451

7th Street SW., Washington, DC 20410, Room 9120 or the number for the Federal Information Relay Service (1-800-877-8339).

**FOR FURTHER INFORMATION CONTACT:** Thomas S. Goade, Director, Technical Support, Office of Multifamily Housing Development, Department of Housing and Urban Development, 451 7th Street SW., Washington, DC 20410, telephone (202) 402-2559 (this is not a toll free number) for copies of the proposed forms and other available information.

**SUPPLEMENTARY INFORMATION:** The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

*Title of Proposal:* Multifamily Contractor's/Mortgagor's Cost Breakdowns and Certifications.

*OMB Control Number, if applicable:* 2502-0044.

*Description of the need for the information and proposed use:* Contractors use the form HUD-2328 to establish a schedule of values of construction items on which the monthly advances or mortgage proceeds are based. Contractors use the form HUD-92330-A to convey actual construction costs in a standardized format of cost certification. In addition to assuring that the mortgage proceeds have not been used for purposes other than construction costs, HUD-92330-A further protects the interest of the Department by directly monitoring the accuracy of the itemized trades on form HUD-2328. This form also serves as project data to keep Field Office cost data banks and cost estimates current and accurate. HUD-92205A is used to certify the actual costs of acquisition or