Jefferson County for Public Assistance, including direct federal assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.


[FR Doc. 2013–15356 Filed 6–26–13; 8:45 am]
BILLING CODE 9111–23–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency


Illinois: Amendment No. 5 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Illinois (FEMA–4116–DR), dated May 10, 2013, and related determinations.

DATES: Effective Date: June 20, 2013.


SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Illinois is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of May 10, 2013.

Brown County for Public Assistance (already designated for Individual Assistance).

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.


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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Notice of Issuance of Final Determination Concerning Valves


ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border
Protection (CBP) has issued a final determination concerning the country of origin of certain valves to be offered to the U.S. Government under an undesignated government procurement contract. The final determination found that based upon the facts presented, the country of origin of the subject valve is the United States.

**DATES:** The final determination was issued on June 14, 2013. A copy of the final determination is attached. Any party-at-interest as defined in 19 CFR 177.22(d), may seek judicial review of this final determination within 30 days of June 27, 2013.

**FOR FURTHER INFORMATION CONTACT:** Fernando Peña, Esq., Valuation and Special Programs Branch, Office of International Trade; telephone (202) 325–1511.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that on June 14, 2013, pursuant to subpart B of Part 177, Customs Regulations (19 CFR part 177, subpart B), CBP issued a final determination concerning the country of origin of certain valves to be offered to the U.S. Government under an undesignated government procurement contract. The final determination, Headquarters Ruling Letter H233698, was issued at the request of Omni Valve Company, LLC, under procedures set forth at 19 CFR part 177, subpart B, which implements Title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. § 2511 et seq.).

In the final determination, CBP concluded that, based upon the facts presented, the assembly in the United States of an automatic differential thermal relief system (“ADTR”) into an imported valve body to create the subject “Omni Double Block & Bleed Valve” substantially transformed the country of origin of the subject valve.

This is in response to your letter on behalf of Omni Valve Company, LLC (hereinafter “Omni”), in which you seek a final determination pursuant to subpart B of Part 177, Customs Regulations, 19 CFR 177.21 et seq. Under these regulations, which implement Title III of the Trade Agreements Act of 1979, as amended, (19 U.S.C. § 2411 et seq.), U.S. Customs and Border Protection (“CBP”) issues country of origin advisory rulings and final determinations on whether an article is or would be a product of a designated foreign country or instrumentality for the purpose of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

This final determination concerns the country of origin of the Omni Double Block & Bleed Valve, a plug-type valve sold as the “OmniSeal DBB”, which Omni is considering selling to the U.S. Government. We note that Omni is a party-at-interest within the meaning of 19 CFR 177.22(d)(1) and is entitled to request this final determination.

**FACTS:**

According to your submission and information provided by Omni, the “OmniSeal DBB” is a plug-type valve often used in fuel storage and discharging systems. The DBB expanding plug valve is designed for applications where positive shut-off, confirmable zero leakage and double block and bleed capabilities are required. It is a single valve solution that simultaneously blocks both the upstream and downstream flow while allowing the user to verify seal integrity using a manual or automatic body bleed system.

The valve body of the DBB is purchased by Omni in India and imported into the United States. The valve body is usable as an isolation valve. At Omni’s Oklahoma facility, Omni fabricates and adds an automatic differential thermal relief system (“ADTR”) to the imported valve. The ADTR system is a multi-joint, multi-instrument system with various elbow, needle valves and pressure gauges. Depending on the needs of the customer, there can be 30 different ADTR system components. One example of an ADTR consists of 10 separate Swedgeloc connections, 6 separate tub sections, 4 small valves, 2 tees and one check valve. The ADTR system is procured and fabricated in the U.S. This process involves bending pipe and attaching the connections and fittings. Some customers require all joints on the ADTR system to be welded. After the ADTR system is fabricated, it is installed onto the valve body of Indian origin.

It is claimed the ADTR allows the valve to be bled in order to test seal integrity in conformance to a prevailing industry standard. It is at this point, that the finished article is capable of being used for applications which require double isolation and bleed functionality.

**ISSUE:** Whether the OmniSeal DBB valves are considered to be products of the United States for purposes of U.S. Government procurement.

**LAW AND ANALYSIS:**

Under subpart B of part 177, 19 CFR 177.21 et seq., which implements Title III of the Trade Agreements Act of 1979, as amended (“TAA”; 19 U.S.C. § 2511 et seq.), CBP issues country of origin advisory rulings and final determinations on whether an article is or would be a product of a designated country or instrumentality for the purpose of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government.


An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed. See also, 19 CFR 177.22(a).

In rendering advisory rulings and final determinations for purposes of U.S. Government procurement, CBP applies the provisions of subpart B of Part 177 consistent with the Federal Procurement Regulations. See 19 C.F.R. § 177.21. In this regard, CBP recognizes that the Federal Procurement Regulations restrict the U.S. Government’s purchase of products to U.S.-made or designated country end products for acquisitions subject to the TAA. See 48 C.F.R. § 25.403(c)(1). The Federal Procurement Regulations define “U.S.-made end product” as:

[A]n article that is mined, produced, or manufactured in the United States or that is substantially transformed in the United States into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed. 48 C.F.R. § 25.003.

In determining whether the combining of parts or materials constitutes a substantial transformation, the determinative issue is the extent of operations performed and whether the parts lose their identity and become an...
integral part of the new article. Belcrest Linens v. United States, 573 F. Supp. 1149 (CIT 1983), aff’d, 741 F.2d 1368 (Fed. Cir. 1984). CBP considers the totality of the circumstances and makes such decisions on a case-by-case basis. The country of origin of the article’s components, extent of the processing that occurs within a given country, and whether such processing renders a product with a new name, character, or use are primary considerations in such cases. Additionally, facts such as resources expended on product design and development, extent and nature of post-assembly inspection procedures, and worker skill required during the actual manufacturing process will be considered when analyzing whether a substantial transformation has occurred; however, no one such factor is determinative.

CBP’s predecessor agency, the U.S. Customs Service (“Customs”), previously found imported valve components to have been substantially transformed when used in the manner of finished valves. See Headquarters Ruling Letter (“HRL”) 729335 (April 18, 1986); HRL 731828 (January 30, 1990); and HRL 558008 (November 16, 1994). In HRL 729335 dated April 18, 1986, Customs found that a substantial transformation had taken place when finished body castings and bonnet castings were combined in the U.S. with valve stems, discs, disc screws and handwheels to produce complete plumbing valves. In HRL 731828 it was determined that the production of finished valves using foreign valve bodies and bonnets combined with U.S. origin balls, seats, stems, and various seals and washers effected substantial transformation of the foreign materials. Finally, in HRL 558008 Customs considered the assembly of water system valves using imported valve body castings and other internal components. It was concluded that an assembly entailing the installation of various subassemblies, gaskets, bolts, seals and parts in substantial transformation of the imported components. It is our conclusion that the assembly operations carried out by Omni on the imported components are closely comparable to those considered in the rulings cited. The number of parts assembled, including significant numbers of U.S.-origin parts, and the relative complexity of the operations carried out, indicate that the imported components have undergone a substantial transformation by reason of the operations carried out in the United States. Accordingly, the finished DBB will be considered a product of the United States for purposes of U.S. Government procurement in making this determination.

HOLDING:

On the basis of the information provided, we find that the assembly in the U.S. substantially transforms the components of foreign origin in DBB valves with an ADTR system. Therefore, the country of origin of Omni’s DBB is the United States for purposes of U.S. Government procurement.

Notice of this final determination will be given in the Federal Register as required by 19 CFR 177.29. Any party at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter and issue a new final determination. Any party-at-interest may, within 30 days after publication of the Federal Register notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Sandra L. Bell,
Executive Director, Regulations and Rulings, Office of International Trade

[FR Doc. 2013–15357 Filed 6–26–13; 8:45 am]
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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
[DOcket No. FR–5700–FA–04]
Announcement of Funding Awards for Lead-Based Paint Hazard Control, and Lead Hazard Reduction Demonstration Grant Programs for Fiscal Year (FY) 2013

AGENCY: Office of Healthy Homes and Lead Hazard Control, HUD.

ACTION: Announcement of funding awards.

SUMMARY: In accordance with Section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this announcement notifies the public of funding decisions made by the Department in competitions for funding under the Office of Healthy Homes and Lead Hazard Control (OHH/LHC) Lead-Based Paint Hazard Control, and Lead Hazard Reduction Demonstration Grant Program Notices of Funding Availability. This announcement contains the name and address of the award recipients and the amounts of awards under the Consolidated and Further Appropriations Act, 2012; County of Rock, 51 South Main Street, Janesville, WI 53545–3951, $2,500,000; City of Duluth, 411 West First Street, Room 407, Duluth, MN 55802–1197, $2,481,395; City of Moline, 619 16th Street, Moline, IL 61265–2121, $2,500,000; City of New London, 111 Union Street, New London, CT 06320–6634, $2,020,956; Louisvle/Jefferson County Metro Government, 527 W. Jefferson Street, Louisville, KY 40202–2814, $2,402,849.50; City of Bridgeport, 999 Broad Street, Bridgeport, CT 06604–4060, $2,499,960; City of Henderson, P.O. Box 95050, 240 Water Street, Henderson, NV 89009–5050, $2,293,701; City of Knoxville, Tennessee, 400 Main Street, Knoxville, TN 37902–2405, $2,500,000; City of Boston, 26 Court Street, Boston, MA 02108–2501, $2,500,000; City of Austin, 1000 E. 11th Street, Suite 200, Austin, TX 78701–1945, $2,500,000; City of Winston-Salem, 100 E. First Street, Suite 423, Winston-Salem, NC 27101–4000, $2,500,000; State of Ohio—Ohio Department of Health, 246 North High Street, Columbus, OH 43215–2412, $2,500,000; County of Orange, 255 Main Street, Goshen, NY 10924–1619, $2,500,000; St. Clair County Intergovernmental Grants Department, 19 Public Square Suite 200, Belleville, IL 62220–1695, $1,635,563; Shelby County Government, 1075 Mullins Station Road, Memphis, TN 38134–7730, $2,300,000; Summit County Combined General Health District, 1100 Graham Road Circle, Stow, OH 44224–2992, $2,500,000; Salt Lake County,