

importer makes a claim for duty-free admission under this section and General Note 6, HTSUS, by properly entering qualifying merchandise under a provision for which the rate of duty "Free (C)" appears in the "Special" subcolumn of the HTSUS and by placing the special indicator "C" on the entry summary. The fact that qualifying merchandise has previously been exported with benefit of drawback does not preclude free entry under this section.

(d) *Importer certification.* In making a claim for duty-free admission as provided for under paragraph (c) of this section, the importer is deemed to certify, in accordance with General Note 6(a)(ii), HTSUS, that the imported merchandise is civil aircraft as described in paragraph (a) or paragraph (b) of this section or has been imported for use in civil aircraft and will be so used.

(e) *Documentation.* Each entry summary claiming duty-free admission for imported merchandise in accordance with paragraph (c) of this section must be supported by the written order or contract and any additional documentation Customs may require to verify the claim for duty-free admission, including evidence of compliance with the FAA certification requirement of paragraph (a)(2)(i), (a)(2)(ii), or (a)(2)(iii) of this section. This required documentation need not be filed with the entry summary, but must be maintained in accordance with the recordkeeping provisions of part 163 of this chapter. An importer not in possession of the required supporting documentation at the time of entry may not then claim duty-free admission under this section but may later make a duty-free claim after entry in accordance with paragraph (f) of this section. Customs may request production of supporting documentation at any time to verify the claim for duty-free admission. Proof of end use of the entered merchandise need not be maintained.

(f) *Post-entry claim.* An importer may file a claim for duty-free treatment under General Note 6, HTSUS, after filing an entry that made no such duty-free claim, by filing a written statement with Customs any time prior to liquidation or prior to the liquidation becoming final. When filed, the written statement constitutes the importer's deemed certification. In accordance with General Note 6, HTSUS, any refund resulting from a claim made under this paragraph will be without interest, notwithstanding the provision of 19 U.S.C. 1505(c).

(g) *Verification.* The port director will monitor and periodically audit selected entries made under this section.

Approved: June 7, 2000.

Raymond W. Kelly,
Commissioner of Customs.

John P. Simpson,
Deputy Assistant Secretary of the Treasury.
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 181

[CGD 92-065]

RIN 2115-AE37

Hull Identification Numbers for Recreational Boats

AGENCY: Coast Guard, DOT.

ACTION: Supplemental notice of proposed rulemaking; termination.

SUMMARY: The Coast Guard is terminating its rulemaking intended to amend its regulations on the identification number placed on the hull of a vessel. There is no consensus on the format for an expanded HIN and the Coast Guard lacks sufficient data to demonstrate that the benefits clearly outweigh the costs and burdens, particularly for small entities and the builders of high-volume, low cost boats.

DATES: This proposed rulemaking is terminated on June 29, 2000.

FOR FURTHER INFORMATION CONTACT: Alston Colihan, Office of Boating Safety, Recreational Boating Product Assurance Division, 202-267-0981.

SUPPLEMENTARY INFORMATION:

Regulatory History

The Coast Guard published a Notice of Proposed Rulemaking in the **Federal Register** (59 FR 23651) on May 6, 1994, proposing to expand the existing 12-character hull identification number (HIN) to include certain vessel-specific information similar to the Vehicle Identification Number (VIN) on an automobile. A check digit in the expanded HIN would make alteration of an HIN more difficult, thereby helping to prevent fraud in the sale of vessels.

Major objections to the proposed 19-character HIN were received based on the increased information collection burdens, particularly on small entities and the builders of high-volume, low cost boats, such as canoes, kayaks, and inflatables. In addition, the International Standards Organization (ISO) had

finalized an HIN standard consisting of the existing Coast Guard 12-character HIN format preceded by a 2-character country code and a hyphen. Manufacturers in the U.S. who export to Europe would be using the ISO HIN standard beginning with the 1996 model year. Builders would have to affix HINs in two different formats or know in advance whether a boat would be sold in the U.S. or in Europe.

In consideration of the objections received about information-collection burdens, we published a Supplemental Notice of Proposed Rulemaking (SNPRM) in the **Federal Register** on February 21, 1997 (62 FR 7971) announcing a proposal to align the HIN with the recently adopted ISO 14-character HIN standard. We received 31 comments nearly all of which were opposed to the 14-character ISO HIN format. Some of the comments indicated that, if the Coast Guard were to adopt the ISO format instead of an HIN format consisting of vessel-specific characters and a check digit, some States might refuse to participate in the development of the Vessel Identification System (VIS).

Therefore, in an attempt to gather information to resolve conflicting issues, we published a Request for Comments in the **Federal Register** on November 16, 1998 (63 FR 63638), soliciting comments on: (1) The expected benefits of an expanded HIN with vessel-specific characters and a check digit; (2) the manner in which the Coast Guard should exempt small entities and the builders of high-volume, low cost boats, such as canoes, kayaks, and inflatables; and (3) the estimated burdens and costs to boat manufacturers if the HIN regulations were revised to require vessel-specific characters and a check digit.

We received 31 comments, only one of which contained any economic data which could be used to determine the benefits of a requirement for an expanded HIN containing vessel-specific characters and a check digit. Only four comments were in favor of allowing exceptions for small entities and the builders of high-volume, low cost boats, such as canoes, kayaks, and inflatable boats. None of the comments contained information about the estimated burdens and costs to boat manufacturers.

Withdrawal

This proposed rulemaking is terminated because of (1) the lack of substantive information about the benefits to society with a requirement for an expanded HIN containing vessel-specific characters and a check digit,

and (2) an inability to address issues involving exemptions for small entities and the builders of high-volume, low cost boats, such as canoes, kayaks, and inflatables. For these reasons, we are terminating further rulemaking under docket number CGD 92-065.

We are initiating a study to gather data on the costs and benefits of an expanded HIN format and potential adverse impacts on small entities. We will review the results of the study and decide whether or not to open a new regulatory project in the future.

Dated: June 21 2000.

Terry M. Cross,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Operations.

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DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

33 CFR Part 401

[Docket No. SLSDC 2000-7543]

RIN 2135-AA11

Seaway Regulations and Rules: Miscellaneous Amendments

AGENCY: Saint Lawrence Seaway Development Corporation, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Saint Lawrence Seaway Development Corporation (SLSDC) and the St. Lawrence Seaway Management Corporation of Canada (SLSMC) publish joint Seaway Regulations. The SLSDC and the SLSMC have determined that a number of existing regulations need to be amended. Only four of the amendments in this proposal are substantive and of applicability in both U.S. and Canadian waters. Accordingly, comments are invited on only these four proposed amendments. (See **SUPPLEMENTARY INFORMATION.**)

The remaining amendments are merely editorial, ministerial, for clarification without substantive change in interpretation, or applicable only in Canada. The Canada Marine Act has abolished the Saint Lawrence Seaway Authority of Canada and replaced it with the SLSMC, made changes in the manner in which the SLSMC conducts or may conduct its operations as compared to the Authority, and made minor changes in some of the terminology used in the Canadian law applicable to the Seaway. Accordingly, most of the amendments in this proposal are strictly editorial, reflect

procedures undertaken unilaterally by the SLSMC, or otherwise are applicable only in Canada because of unilateral action by the SLSMC or Canadian law. Accordingly, the SLSDC is not requesting comments on these amendments, even though they appear in this proposal. Other changes are due strictly to Canadian circumstances or unilateral action, such as: removal of reference to bridges that no longer exist; removal of references to the Canadian entity in the rules on detention and sale; and adding provisions that are only applicable on Canadian property. Some minor changes in numbering and lettering also are being made.

DATES: Any party wishing to present views on the proposed amendments may file comments with the Corporation on or before July 31, 2000.

ADDRESSES: Signed, written comments should refer to the docket number appearing at the top of this document and must be submitted to the Docket Clerk, U.S. DOT Dockets, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590-0001. Written comments may also be submitted electronically by using the submission form at <http://dmses.dot.gov/submit/BlankDSS.asp>. All comments received will be available for examination between 9 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped envelope or postcard.

FOR FURTHER INFORMATION CONTACT: Marc C. Owen, Chief Counsel, Saint Lawrence Seaway Development Corporation, 400 Seventh Street, SW, Washington, DC 20590, (202) 366-6823.

SUPPLEMENTARY INFORMATION: As a result of discussions with the Saint Lawrence Seaway Management Corporation of Canada, the Saint Lawrence Seaway Development Corporation proposes to amend the Seaway Regulations and Rules in 33 CFR part 401 as described in the following summary.

Only four of the amendments in this proposal are substantive and of applicability in both U.S. and Canadian waters. Accordingly, comments are invited on only these four proposed amendments, which are as follows.

Section 401.3, "Maximum vessel dimensions", would be amended by revising paragraph (e) to allow a vessel with a beam in excess of 23.2 m, but not more than 23.8 m. and an overall length in excess of 222.5 m, but not more than 225.5 m, to be considered for transit upon application to the SLSMC and SLSDC. This proposal follows successful feasibility testing by both corporations. Section 410.10, "Mooring

lines", would be amended by adding a new paragraph (a)(2) requiring mooring lines to have a diameter not greater than 28 mm. This is in response to safety concerns for linehandling personnel of both corporations. The larger, heavier mooring lines that have been used by some vessels are difficult to handle and may cause back injuries.

Section 401.13, "Hand lines", would be amended by changing the minimum diameter from 12 mm to 15 mm, the maximum diameter from 20 mm to 17 mm, and the minimum length from 35 m to 30 m for similar safety of linehandling personnel reasons. Schedule III, "Calling-In Table", would be amended by changing a number of reporting requirements at certain calling-in points. The SLSDC and the SLSMC now share the same computer database, which eliminates the need for vessels to report particulars more than once unless a change has occurred.

The remaining amendments, described in the rest of this preamble, are merely editorial, ministerial, for clarification without substantive change in interpretation, or applicable only in Canada. Some minor changes in numbering and lettering also are being made.

The Canada Marine Act has abolished the Saint Lawrence Seaway Authority of Canada and replaced it with the SLSMC, made changes in the manner in which the SLSMC conducts or may conduct its operations as compared to the Authority, and made minor changes in some of the terminology used in the Canadian law applicable to the Seaway. Accordingly, most of the amendments in this proposal are strictly editorial, reflect procedures undertaken unilaterally by the SLSMC, or otherwise are applicable only in Canada because of unilateral action by the SLSMC or Canadian law. Accordingly, the SLSDC is not requesting comments on these amendments, even though they appear in this proposal. The principal change of this type is wherever the terms "Saint Lawrence Seaway Authority", "Authority", *etc.* appears, they are replaced with "Saint Lawrence Seaway Management Corporation", "Manager", *etc.* Another change is the term "vessel" is referred to as "ship" in the Canadian Act and the regulations will so note. Similarly, the SLSMC now refers to the "Tariff of Tolls" as the "Schedule of Tolls" and to "tolls and charges" as "fees", both of which also are to be noted in the regulations. Finally, the SLSMC now refers to these regulations as "Practices and Procedures" and that is so noted.

There are a number of changes that merely reflect current Canadian practice