

Compliance Issues

(43) CBP, in conjunction with DHS, undertakes to conduct once a year, or more often if agreed by the parties, a joint review with the European Commission assisted as appropriate by representatives of European law enforcement authorities and/or authorities of the Member States of the European Union,¹³ on the implementation of these Undertakings, with a view to mutually contributing to the effective operation of the processes described in these Undertakings.

(44) CBP will issue regulations, directives or other policy documents incorporating the statements herein, to ensure compliance with these Undertakings by CBP officers, employees and contractors. As indicated herein, failure of CBP officers, employees and contractors to abide by CBP's policies incorporated therein may result in strict disciplinary measures being taken, and criminal sanctions, as applicable.

Reciprocity

(45) In the event that an airline passenger identification system is implemented in the European Union which requires air carriers to provide authorities with access to PNR data for persons whose current travel itinerary includes a flight to or from the European Union, CBP shall, strictly on the basis of reciprocity, encourage U.S.-based airlines to cooperate.

296, dated November 25, 2002), the Privacy Officer for DHS is charged with conducting a "privacy impact assessment" of proposed rules of the Department on "on the privacy of personal information, including the type of personal information collected and the number of people affected" and must report to Congress on an annual basis regarding the "activities of the Department that affect privacy. * * * Section 222(5) of the Act also expressly directs the DHS Privacy Officer to hear and report to Congress regarding all "complaints of privacy violations."

¹³ The composition of the teams on both sides will be notified to each other in advance and may include appropriate authorities concerned with privacy/data protection, customs control and other forms of law enforcement, border security and/or aviation security. Participating authorities will be required to obtain any necessary security clearances and will adhere to the confidentiality of the discussions and documentation to which they may be given access. Confidentiality will not however be an obstacle to each side making an appropriate report on the results of the joint review to their respective competent authorities, including the U.S. Congress and the European Parliament. However, under no circumstances may participating authorities disclose any personal data of a data subject; nor may participating authorities disclose any non-public information derived from documents to which they are given access, or any operational or internal agency information they obtain during the joint review. The two sides will mutually determine the detailed modalities of the joint review.

Review and Termination of Undertakings

(46) These Undertakings shall apply for a term of three years and six months (3.5 years), beginning on the date upon which an agreement enters into force between the United States and the European Community, authorizing the processing of PNR data by air carriers for purposes of transferring such data to CBP, in accordance with the Directive. After these Undertakings have been in effect for two years and six months (2.5 years), CBP, in conjunction with DHS, will initiate discussions with the Commission with the goal of extending the Undertakings and any supporting arrangements, upon mutually acceptable terms. If no mutually acceptable arrangement can be concluded prior to the expiration date of these Undertakings, the Undertakings will cease to be in effect.

No Private Right or Precedent Created

(47) These Undertakings do not create or confer any right or benefit on any person or party, private or public.

(48) The provisions of these Undertakings shall not constitute a precedent for any future discussions with the European Commission, the European Union, any related entity, or any third State regarding the transfer of any form of data.

Dated: May 11, 2004.

Attachment "A"—PNR Data Elements Required by CBP From Air Carriers

1. PNR record locator code.
2. Date of reservation.
3. Date(s) of intended travel.
4. Name.
5. Other names on PNR.
6. Address.
7. All forms of payment information.
8. Billing address.
9. Contact telephone numbers.
10. All travel itinerary for specific PNR.
11. Frequent flyer information (limited to miles flown and address(es)).
12. Travel agency.
13. Travel agent.
14. Code share PNR information.
15. Travel status of passenger.
16. Split/Divided PNR information.
17. E-mail address.
18. Ticketing field information.
19. General remarks.
20. Ticket number.
21. Seat number.
22. Date of ticket issuance.
23. No show history.
24. Bag tag numbers.
25. Go show information.
26. OSI information.
27. SSI/SSR information.

28. Received from information.
29. All historical changes to the PNR.
30. Number of travelers on PNR.
31. Seat information.
32. One-way tickets.
33. Any collected APIS information.
34. ATFQ fields.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4901-N-28]

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.

DATES: Effective Date: July 9, 2004.

FOR FURTHER INFORMATION CONTACT:

Kathy Burruss, Department of Housing and Urban Development, Room 7262, 451 Seventh Street, SW., 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 1-800-927-7588.

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: July 1, 2004.

Mark R. Johnston,

Director, Office of Special Needs Assistance Programs.

[FR Doc. 04-15445 Filed 7-8-04; 8:45 am]

BILLING CODE 4210-29-M

DEPARTMENT OF INTERIOR**National Park Service****60-Day Notice of Intention To Request Clearance of Collection of Information; Opportunity for Public Comment**

AGENCY: National Park Service, the Department of Interior.

ACTION: Notice and request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507 *et seq.*) and 5 CFR part 1320, the National Park Service (NPS) invites public comments on a submitted request to the Office of Management and Budget (OMB) to approve a revision of a currently approved collection (OMB# 1024-0038) associated with 36 CFR part 61, "Procedures for State, Tribal, and Local Government Historic Preservation Programs." NPS intends to request a separate control number for those information collections associated with information collections related to Historic Preservation Fund grants to States. In addition, revision is needed because some information collections had not been recognized as such during preparation for earlier OMB approvals. Section 101(b) of the National Historic Preservation Act, as amended, (16 U.S.C. 470a(b)) specifies the role of States in the national historic preservation partnership program. Section 101(c), section 103(c), and section 301 of the Act (16 U.S.C. 470a(c), 16 U.S.C. 470c(c), and 16 U.S.C. 470w) specify the role of local governments in the national historic preservation partnership program. Section 101(d) of the Act (16 U.S.C. 470a(d)) specifies the role of tribes in the national historic preservation partnership program. All 59 States, territories, and the District of Columbia participate in the national historic preservation partnership program. More than 1,400 local governments have become Certified Local Governments (CLGs) in order to participate in the national historic preservation partnership program. Approximately 59 local governments become CLGs each year. NPS developed the information collections associated with 36 CFR part 61 in consultation with State, Tribal, and local government partners. The requirements/information collections are unchanged since the last approval by OMB.

DATES: To assure that the NPS considers your comments on this notice, NPS must receive the comments on or before September 7, 2004.

Send Comments To: John W. Renaud, Project Coordinator, State, Tribal and Local Programs, Heritage Preservation Services, National Center for Cultural Resources, National Park Service, 1849 C St., NW., Org. Code 2255, Washington, DC 20240-0001, via fax at 202-371-1961, or via e-mail at John_Renaud@nps.gov.

FOR FURTHER INFORMATION CONTACT: John W. Renaud, Project Coordinator, State, Tribal and Local Programs, Heritage Preservation Services, National Center for Cultural Resources, National Park Service, 1849 C St., NW., Org. Code 2255, Washington, DC 20240-0001, via fax at 202-371-1961, via e-mail at John_Renaud@nps.gov, or via telephone at (202) 354-2066.

SUPPLEMENTARY INFORMATION:

Title: 36 CFR Part 61, Procedures for State, Tribal, and Local Government Historic Preservation Programs.

OMB Number: 1024-0038.

Expiration Date of Approval: July 31, 2004.

Type of Request: Revision of a currently approved collection.

Abstract: This information collection has an impact on State, tribal, and local governments that wish to participate formally in the national historic preservation. The National Park Service uses the information collections to ensure compliance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*). This information collection also will produce performance data that NPS uses to assess its progress in meeting goals set in Departmental and NPS strategic plans created pursuant to the 1993 Government Performance and Results Act, as amended. This request for OMB approval includes local government burden for information collections associated with various aspects of the Certified Local Government (CLG) program. This request for OMB approval includes State government burden for information collections related to the CLG program, maintenance of a State inventory of historic and prehistoric properties, tracking State Historic Preservation Office historic preservation consultation with Federal agencies, and the State role in the State Program Review Process.

Respondents: State and local governments.

Estimate of Burden: NPS estimates that the total public (State plus local) burden for the Certified Local Government (CLG) program averages 40.8 hours per CLG for the certification, monitoring, and evaluation process. NPS estimates that the burden averages 0.5 hours per inventory record, 0.8

hours per Federal agency project tracked, and 90 hours per State Program Review. The combined total public burden for the 36 CFR Part 61-related information collections would average 132 hours per partner. These estimates of burden include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and reviewing the collection of information.

Estimated Number of Respondents/Record Keepers: NPS estimates that there are 34,136 responses per year. This is the gross number of responses for all of the elements included in this information collection. The net numbers of partners participating in this information collection annually are 59 States and more than 1,400 CLGs. The frequency of response varies depending upon the activity. In the CLG program, States and local governments participate once for the certification process, once per year for the monitoring of each CLG, and once every four years for the evaluation of each CLG. Each State adds property records to its inventory and tracks the progress of consultation with Federal agencies as the information becomes available. The National Historic Preservation Act requires that each State undergo a State Program Review every four years.

Estimated average number of State and local CLG responses per State/CLG: 39 annually.

Estimated average gross number State and local CLG responses for all States/CLGs: 3,624 annually.

Estimated average minimum number of State inventory responses per State: 159 annually.

Estimated average gross minimum number of State inventory responses for all States: 8,904 annually.

Estimated average minimum number of State consultation on Federal projects responses per State: 366 annually.

Estimated average gross minimum number of State consultation of Federal projects responses for all States: 21,594 annually.

Estimated average minimum number of State Program Reviews per State: 1 annually.

Estimated average gross minimum number of State Program Reviews for all States: 14 annually.

Estimated average gross number of responses all collections: 34,136 annually.

Estimated average burden hours in the CLG program per response: 6.8 hours.

Estimated average burden hours in the State inventory program per response: 0.5 hours.