

origin components, and that the United States was the country of origin.

In HQ H175415, dated October 4, 2011, hardware components were assembled into complete Ethernet switches in China. The switches were then shipped to the U.S., where they were programmed with EOS software, developed in the U.S. The U.S.-origin EOS software enabled the imported switches to interact with other network switches through network switching and routing, and allowed for the management of functions such as network performance monitoring and security and access control. Without this software, the imported devices could not function as Ethernet switches. As a result of the programming performed in the U.S., with software developed in the U.S., CBP found that the imported switches were substantially transformed in the U.S.

In HQ H215555 (July 13, 2012), fully assembled SheevaPlug microcomputers were imported into the United States, where they were programmed with Pwnie Express proprietary software developed in the U.S. The custom software provided a web-based interface for configuring the microcomputers into Pwn Plugs. In addition, the U.S. software allowed Pwn Plugs to provide secure, persistent and reliable remote access over a variety of network protocols and customer environments. Without the U.S.-origin Pwnie Express software, an imported microcomputer could not function as a Pwn Plug. As a result of the programming performed in the U.S., with software developed in the U.S., we found that the imported microcomputers were substantially transformed in the U.S. and that the country of origin of Pwn Plugs was the United States.

In this case, fully assembled digital storage devices are imported into the United States. Mechanically, the HDDs consist of magnetic heads and a PBC. Their purpose is to store data. Accordingly, in their imported condition they are completely non-functional, in that, their disk heads cannot move, they cannot store or retrieve data, and they cannot be recognized or listed by a computer or network. The imported HDDs only have a basic ability to communicate through a serial port using a proprietary Seagate protocol that is used solely to install firmware and to test the devices. They are programmed in the U.S. with U.S.-origin Servo firmware, which causes the HDD to function mechanically by controlling the motors, preamp and servo mechanisms, which operate the recording media and disk heads in the HDA. They are also programmed in the U.S. with U.S.-origin Controller firmware, which manages all communication between the host and target drives as well as all data management within the drive. In particular, Controller firmware allows data files to be stored on the recording media in the HDA, found and listed within applications, and saved, retrieved and overwritten. Together, the U.S.-origin firmware causes the imported HDDs to function as digital storage devices. As a result of the programming performed in the U.S., with software primarily developed in the U.S., we find that the imported HDDs are substantially transformed in the U.S. See *Data General*, C.S.D. 84–85, HQ 215555, HQ

052325, HQ 558868, HQ 735027, and HQ 733085. The country of origin of the HDDs is the United States.

Counsel also argues that SEDs are different products than standard HDDs because they undergo an additional substantial transformation. Specifically, counsel states that the U.S.-origin security firmware with which HDD is programmed in the U.S. converts a standard HDD into a SED, a controlled encryption device for U.S. export control purposes. In addition, counsel states that the SED performs different functions than a standard HDD, has different labeling and part numbers, is marketed and sold in a different market than the HDD (a separate portion of the Seagate website is devoted to security devices such as SEDs), and is priced differently. We agree. To the extent that the HDDs are programmed with additional U.S.-origin security firmware, the country of origin of the SEDs will be the United States.

Nonetheless, this determination concerns whether the HDDs and SEDs are products of a designated country or instrumentality for the purposes of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government. Consequently, the question of whether additional programming performed in the U.S., using U.S.-origin firmware incorporating an encryption code, transforms the HDD into a SED subject to U.S. export control jurisdiction is outside the scope of this determination.

Please be advised that whether the HDDs may be marked “Made in the U.S.A.” or with similar words, is an issue under the authority of the Federal Trade Commission (“FTC”). We suggest that you contact the FTC, Division of Enforcement, 6th and Pennsylvania Avenue, NW, Washington, DC 20508, on the propriety of markings indicating that articles are made in the United States.

#### **HOLDING:**

Based on the facts provided, the programming operations performed in the United States impart the essential character to Seagate’s hard disk drives. As such, the HDDs are considered products of 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 C.F.R. § 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 C.F.R. § 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 C.F.R. § 177.30, any party-at-interest may, within 30 days of 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. 2013–20425 Filed 8–20–13; 8:45 am]

**BILLING CODE 9111–14–P**

## **DEPARTMENT OF THE INTERIOR**

### **Geological Survey**

**[GX13N05ESB0500]**

#### **Agency Information Collection Activities: Comment Request**

**AGENCY:** U.S. Geological Survey (USGS), Interior.

**ACTION:** Notice of a new information collection, Registry of Climate Change Vulnerability Assessments.

**SUMMARY:** We (the U.S. Geological Survey) will ask the Office of Management and Budget (OMB) to approve the information collection (IC) described below. To comply with the Paperwork Reduction Act of 1995 (PRA) and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this IC.

**DATES:** Submit written comments on or before October 21, 2013.

**ADDRESSES:** You may submit comments on this IC to the Information Collection Clearance Officer, U.S. Geological Survey, 12201 Sunrise Valley Drive, MS 807, Reston, VA 20192 (mail); (703) 648–7197 (fax); or [dgovoni@usgs.gov](mailto:dgovoni@usgs.gov) (email). Please reference “Information Collection 1028—NEW, Registry of Climate Change Vulnerability Assessments” in the subject line.

**FOR FURTHER INFORMATION CONTACT:** Laura Thompson, National Climate Change and Wildlife Science Center, U.S. Geological Survey, 12201 Sunrise Valley Drive, Mail Stop 400, Reston, VA 20192 (mail); 703–648–4083 (phone); or [lthompson@usgs.gov](mailto:lthompson@usgs.gov) (email).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

The USGS proposes to collect information on existing assessments of the vulnerability of various resources and societal assets to climate change (hereafter VA or “vulnerability assessments”). This information will include organization conducting the study, its location, the topical focus of the assessment, methodology and supporting data used, and point of contact information. Because many governmental and nongovernmental parties are conducting such assessments, and because their conclusions, methodologies, and related data assets may be of interest or utility to others contemplating such assessments, the USGS will make the information collected available on the Web in the form of a simple registry-type database. Users, including the

general public, scientists, resource management agencies, and others will be able to search the database by various keywords of interest.

## II. Data

*OMB Control Number:* 1028—NEW.

*Title:* Registry of Climate Change Vulnerability Assessments.

*Type of Request:* New information collection.

*Affected Public:* Federal agencies, state, tribal and nongovernmental partners, individual scientists, and others involved in the conduct of climate change vulnerability assessments.

*Respondent's Obligation:* None (participation is voluntary).

*Frequency of Collection:* This information will be collected initially and reviewed at least annually. All listed Registry projects will be contacted and requested to update their information; Federal agencies participating in the Registry will conduct "data calls" according to agency practice to identify new agency projects, and external partners will be reminded via Web posting and community-of-practice networking that new projects may be added to the Registry. Additional entries may be added at any time, as information becomes available.

*Estimated Total Number of Annual Responses:* Approximately 1360 responses (i.e., additions to the registry) are expected in the initial data collection phase (first year), including approximately 1200 from Federal organizations and approximately 160 state/local, tribal, and nongovernmental organizations. In subsequent years, annual additions to the registry are expected to be 100 or fewer.

*Estimated Time per Response:* We estimate that it will take one hour per person to document a single assessment project for inclusion in the registry. In future years, reviewing project information to ensure currency or identifying new projects is expected to require *de minimis* effort.

*Estimated Annual Burden Hours:* 1360 in year one and less than 100 in each subsequent year.

*Estimated Reporting and Recordkeeping "Non-Hour Cost" Burden:* There are no "non-hour cost" burdens associated with this collection of information.

*Public Disclosure Statement:* The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number. Until OMB approves a

collection of information, you are not obligated to respond.

*Comments:* We are soliciting comments as to: (a) Whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) how to enhance the quality, usefulness, and clarity of the information to be collected; and (d) how to minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Please note that the comments submitted in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 15, 2013.

**Thomas D. Beard, Jr.,**

*Chief, National Climate Change and Wildlife Science Center, U.S. Geological Survey.*

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**BILLING CODE 4311-AM-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLCAN06000-L14300000-ET0000/CACA 54303]

### Notice of Application for Withdrawal and Opportunity for Public Meeting; California

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The United States Forest Service (USFS) filed an application with the Bureau of Land Management (BLM) requesting the Secretary of the Interior to withdraw approximately 541 acres of National Forest System lands in the Shasta-Trinity National Forest for a period of 20 years, from location and entry under the United States mining laws, but not from leasing under the mineral or geothermal leasing laws. The purpose of the withdrawal would be to protect the cultural, recreational, and

biological resources within and along the Trinity River Wild and Scenic River (TRWSR) located in Trinity County, California. This notice temporarily segregates the lands from location and entry under the United States mining laws for up to 2 years while the withdrawal application is considered. This notice also gives the public an opportunity to comment on the withdrawal application and to request a public meeting.

**DATES:** Comments and/or requests for a public meeting should be received by November 19, 2013.

**ADDRESSES:** Comments and/or requests for a public meeting should be sent to California State Director, Bureau of Land Management, 2800 Cottage Way, Suite W1623, Sacramento, CA 95825-1886.

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Easley, BLM California State Office, 916-978-4673, or Brenda Tracy, Shasta-Trinity National Forest Headquarters, 530-226-2500 during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individuals. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The USFS has filed an application requesting that the Secretary of the Interior withdraw, subject to valid existing rights, the following described lands located in Trinity County, California, from location and entry under the United States mining laws, but not from leasing under the mineral or geothermal leasing laws, to protect the cultural, recreational, and biological resources within the TRWSR:

#### Mount Diablo Meridian

T. 33 N., R. 8 W.,  
sec. 8, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
sec. 18, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 32 N., R. 10 W.,  
sec. 4, lot 4 except that portion in Mineral Entry Patent 28914 (described as the W $\frac{1}{2}$  of said lot 4), and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 5, lot 7 and SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 33 N., R. 10 W.,  
sec. 29, lots 8, 9, 10, 15, and 18;  
sec. 30, lots 7 and 8;  
sec. 32, lots 12 and 14, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
and W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ .

The areas described aggregate 541 acres, more or less, in Trinity County, California.

The above-described lands being National Forest System lands, the Secretary shall make a withdrawal only