

to Sweden, where it was loaded with software that enabled it to test equipment on wireless networks, was a product of Sweden. Once the software was installed on the phones in Sweden, they became devices with a new name, character and use, that is, network testing equipment. As a result of the programming operations performed in Sweden, CBP found that the country of origin of the network testing equipment was Sweden.

In this case, hardware components are assembled into complete Ethernet switches in China. The switches are then shipped to the U.S., where they are programmed with EOS software, developed in the U.S. at significant cost to Arista and over many years. Since 2005, more than 140 software engineers have continued to develop the software and more than 80 percent of Arista's Research and Development spending has been on EOS software development. The U.S.-origin EOS software enables the imported switches to interact with other network switches through network switching and routing, and allows 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., the imported switches are substantially transformed in the U.S. *See Data General*, C.S.D. 84-85, HQ 052325, HQ 558868, HQ 735027, and HQ 733085. The country of origin of the switches is the United States.

Please be advised, however, that whether the switches 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 Artista's 7 Series Ethernet switches. As such, the switches will be 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. 2011-25991 Filed 10-6-11; 8:45 am]

BILLING CODE P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5546-D-01]

Delegation of Authority to the Office of Disaster Management and National Security

AGENCY: Office of the Secretary, HUD.

ACTION: Delegation of Authority.

SUMMARY: Through this notice, the Secretary delegates authority to the Chief Disaster and National Security Officer, Office of Disaster Management and National Security.

DATES: *Effective Date:* September 30, 2011.

FOR FURTHER INFORMATION CONTACT:

Laura L. McClure, Acting Chief Disaster and National Security Officer, Office of Disaster Management and National Security, Department of Housing and Urban Development, 451 7th Street, SW., Room 10170, Washington, DC 20410-6000, telephone number 202-402-6300 (this is not a toll free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at telephone number 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

The Secretary of HUD hereby delegates to the Chief Disaster and National Security Officer authority and responsibility to advise HUD departmental leadership on all aspects of disaster and national security preparedness, response, and recovery; to identify and mitigate risks; to improve departmentwide capacity, coordination, and support for disaster management and national security; and to ensure that HUD's security and disaster management programs support national objectives and the security of the United States while supporting HUD's mission. In carrying out this responsibility, the Chief Disaster and National Security Officer shall, among other duties:

1. Assess, coordinate and improve execution of the Department's disaster management and national security programs.

2. Represent the Department's interests in interagency committees and groups that address disaster management, national security, law enforcement, and the protective service detail.

3. Develop criteria to assess and help improve disaster and national security preparedness, response, and recovery and develop policy, program options, and recommendations together with key program offices.

4. Develop and coordinate crosscutting disaster and national security policies, programs, and plans that improve departmental preparedness, response, and recovery including implementation of the National Response Framework, National Continuity Policy, and Presidential Decision and National Security Directives.

5. Integrate current and future disaster and national security programs into departmentwide response effort.

6. Manage and support the Department's Protective Services functions and related investigation and law enforcement liaison functions.

7. Manage access to and protect HUD classified programs and information and maintain and operate classified systems.

Section A. Authority Delegated

The Secretary hereby delegates all authority pursuant to the following authorities to the Chief Disaster and National Security Officer:

1. *Federal Law Enforcement and Personal Security Protection.* Authority for providing personal security protection for the Secretary, Deputy Secretary, and their immediate families, as warranted, including authorities set forth in 28 U.S.C. 566(c), 566(d), 566(e), 561(a), 561(f), 561(g), 564, 509, 510; 28 CFR 0.111, 0.112, 0.113; and 18 U.S.C. 115(a)(1), 351, 3053. Authority for law enforcement and noncriminal investigations and enforcement of HUD Handbook 0752.2, Adverse Action, including authority under 42 U.S.C. 3535(d).

2. *National Security and Operations.* Authority to execute and support departmental preparedness activities pursuant to White House and Department of Homeland Security guidance and requirements, including but not limited to: Homeland Security Presidential Directive—20: *National Continuity Policy* (2007), Federal Continuity Directive 1: *Federal Executive Branch National Continuity Program and Requirements* (2008), and

Federal Continuity Directive 2: *Federal Executive Branch Mission Essential Function and Primary Mission Essential Function Identification and Submission Process* (2008). Guidance and requirements for operations, including, but not limited to Homeland Security Presidential Directive—5: *Management of Domestic Incidents* (2003) and the National Communications System Directive 3–10: *Minimum Requirements for Continuity Communications Capabilities* (2007), which was issued by DHS on behalf of the Office of Science, Technology, and Policy in the Executive Office of the President. This area also includes authority to implement guidance and requirements for test, training, and exercises under the Presidential Policy Directive 8: *National Preparedness* (2011), the National Preparedness Goal, and the National Exercise Plan, including required participation in exercises.

3. *Response and Recovery*. Authority to execute and support departmental response and recovery activities pursuant to White House and Department of Homeland Security guidance and requirements, including but not limited to: Homeland Security Presidential Directive-5: *Management of Domestic Incidents* (2003), the National Response Framework (2008), the National Incident Management System (2004), and the National Disaster Recovery Framework (currently under development).

Section B. Authority To Redefine

The Chief Disaster and National Security Officer may redelegate to employees of HUD any of the authority delegated under Section A above.

Section C. Authority Superseded

The Secretary may revoke the authority authorized herein, in whole or part, at any time.

Authority: Section 7(d) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: September 30, 2011.

Shaun Donovan,
Secretary.

[FR Doc. 2011–26046 Filed 10–6–11; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5580–N–01]

HUD Draft Environmental Justice Strategy

AGENCY: Office of the Sustainable Housing and Communities, HUD.

ACTION: Notice.

SUMMARY: Through this notice, HUD announces the release of its draft Environmental Justice Strategy for review and comment.

DATES: *Comment Due Date:* November 14, 2011. Comments may be submitted to EJStrategy@hud.gov.

FOR FURTHER INFORMATION CONTACT: Kathryn Dykgraaf Office of Sustainable Housing and Communities, Department of Housing and Urban Development, 451 7th Street, SW., Room, Washington, DC 20410; telephone number 202–402–6731 (this is not a toll-free number). Persons with hearing or speech impairments may access this number through TTY by calling the toll-free Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION

I. Background

HUD is committed to meeting the goals of Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” which states that each federal agency, with the law as its guide, should make environmental justice part of its mission. In this regard, HUD has developed its draft Environmental Justice Strategy (EJ Strategy). HUD’s EJ Strategy is a four-year plan to address environmental justice concerns and increase access to environmental benefits through HUD policies, programs, and activities. HUD’s EJ strategy can be found at http://portal.hud.gov/hudportal/HUD?src=/program_offices/sustainable_housing_communities/HUD_Draft_Environmental_Justice_Strategy.

The release of the draft is the latest step in a larger Administration-wide effort to ensure strong protection from environmental and health hazards for all Americans. In August, federal agencies signed the “Memorandum of Understanding on Environmental Justice and Executive Order 12898” (EJ MOU), which committed each agency to, among other things, finalizing an EJ strategy and releasing annual implementation reports. Links to the other federal EJ Strategies can be found on the Environmental Justice Interagency Workgroup Web page at <http://www.epa.gov/environmentaljustice/interagency/index.html>. Links will be available by Friday, October 7th.

HUD’s draft EJ Strategy will be open for public until November 14, 2011. Comments can be submitted by e-mailing EJStrategy@hud.gov. HUD will review the comments submitted, and is

targeting finalization of the strategy by February 2012. After the strategy is issued in final, HUD and its federal partners will continue to engage stakeholders through outreach, education and stakeholder events and respond to public comments through annual implementation reports.

Dated: September 30, 2011.

Shelley R. Poticha,
Director.

[FR Doc. 2011–25938 Filed 10–6–11; 8:45 am]

BILLING CODE 4210–67–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–5477–N–40]

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 use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Juanita Perry, Department of Housing and Urban Development, 451 Seventh Street SW, Room 7266, 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 800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the