

Orleans, New Orleans, Louisiana  
*Contract Activity:* Office Supplies & Paper  
 Products Acquisition Center, New York,  
 New York  
*Product/NSN:* Tape Refill w/American Flag  
 on the core 7520-00-NIB-1579  
*NPA:* The Lighthouse for the Blind in New  
 Orleans, New Orleans, Louisiana  
*Contract Activity:* Office Supplies & Paper  
 Products Acquisition Center, New York,  
 New York

#### Services

*Service Type/Location:* Custodial Service  
 GSA Leased Space for the Internal Revenue  
 Service, Bronx, New York  
*NPA:* Goodwill Industries of Greater New  
 York and Northern New Jersey, Inc.  
 Astoria, New York  
*Contract Activity:* GSA, Property  
 Management Center, New York, New  
 York  
*Service Type/Location:* Janitorial/Custodial  
 U.S. Army Reserve Center, Calle Lee, Los  
 Alamitos, California  
*NPA:* Lincoln Training Center and  
 Rehabilitation Workshop, South El  
 Monte, California  
*Contract Activity:* 63rd Regional Support  
 Command, Los Alamitos, California  
*Service Type/Location:* Janitorial/Custodial  
 U.S. Army Reserve Center, Garden Grove,  
 Garden Grove, California  
*NPA:* Lincoln Training Center and  
 Rehabilitation Workshop, South El  
 Monte, California  
*Contract Activity:* 63rd Regional Support  
 Command, Los Alamitos, California  
*Service Type/Location:* Janitorial/Custodial  
 U.S. Army Reserve Center, Eau Claire,  
 Wisconsin  
*NPA:* L.E. Phillips Career Development  
 Center, Inc., Eau Claire, Wisconsin  
*Contract Activity:* Headquarters, 88th  
 Regional Support Command, Fort  
 Snelling, Minnesota  
*Service Type/Location:* Janitorial/Custodial  
 U.S. Army Reserve Center, Fairmont, West  
 Virginia  
 U.S. Army Reserve Center, Grafton, West  
 Virginia  
 U.S. Army Reserve Center, New  
 Martinsville, West Virginia  
*NPA:* PACE Training and Evaluation  
 Center, Inc., Star City, West Virginia  
*Contract Activity:* 99th Regional Support  
 Command, Coraopolis, Pennsylvania  
*Service Type/Location:* Janitorial/Custodial  
 U.S. Army Reserve Center, Walker,  
 Michigan  
*NPA:* Hope Network Services Corporation,  
 Grand Rapids, Michigan  
*Contract Activity:* Headquarters, 88th  
 Regional Support Command, Fort  
 Snelling, Minnesota  
*Service Type/Location:* Receiving,  
 Shipping, Handling & Custodial Service  
 Brunswick Naval Air Station, Topsham,  
 Maine  
*NPA:* Pathways, Inc., Auburn, Maine  
*Contract Activity:* Defense Commissary  
 Agency (DeCA), Ft. Lee, Virginia

**Sheryl D. Kennerly,**

*Director, Information Management.*

[FR Doc. 03-12289 Filed 5-15-03; 8:45 am]

**BILLING CODE 6353-01-P**

#### DEPARTMENT OF COMMERCE

[I.D. 051303A]

#### Submission for OMB Review; Comment Request

The Department of Commerce has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).  
*Title:* Groundfish Tagging Program.  
*Form Number(s):* None.

*OMB Approval Number:* 0648-0276.  
*Type of Request:* Regular submission.  
*Burden Hours:* 98.

*Number of Respondents:* 420.  
*Average Hours Per Response:* 5 minutes for a regular tag and 20 minutes for an electronic tag.

*Needs and Uses:* The Groundfish Tagging Program provides scientists with information necessary for the effective conservation, management, and scientific understanding of the groundfish fishery off Alaska and the Pacific Northwest. Persons recovering tagged fish are requested to supply certain information about the recovery - date of catch, location, tag number, etc. Scientists use such information to analyze distribution of fish, their movements, and other important parameters, and use results in population assessment models and to develop allocation systems.

*Affected Public:* Business or other for-profit organizations, individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* David Rostker, (202) 395-3897. Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at dHynek@doc.gov). Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: May 8, 2003.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 03-12316 Filed 5-15-03; 8:45 am]

**BILLING CODE 3510-22-S**

#### DEPARTMENT OF COMMERCE

#### Bureau of Industry and Security

[Docket No. 030505114-3114-01]

#### Best Practices for Exporters/Re-Exporters and Trade Facilitation/Freight Forwarding Companies Regarding the Transit, Transshipment, and Reexport of Dual-Use Items

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Notice of Inquiry.

**SUMMARY:** The Bureau of Industry and Security (BIS) is seeking public comments on the following proposed "Best Practices for Exporters/Re-exporters and Trade Facilitation/Freight Forwarding Companies Regarding the Transit, Transshipment, and Reexport of Dual-Use Items." BIS will consider all comments timely submitted before finalizing these Best Practices.

**DATES:** Comments must be received before June 16, 2003.

**ADDRESSES:** Comments may be submitted by e-mail to [rcupitt@bis.doc.gov](mailto:rcupitt@bis.doc.gov), by fax at (202) 482-2387, or on paper to Rick Cupitt, Office of the Under Secretary for Industry and Security, Bureau of Industry and Security, Room H3898, U.S. Department of Commerce, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Rick Cupitt, Office of the Under Secretary for Industry and Security at [rcupitt@bis.doc.gov](mailto:rcupitt@bis.doc.gov) or (202) 482-1459.

#### SUPPLEMENTARY INFORMATION:

#### Background

This document sets forth "best practices" for exporters/re-exporters and trade facilitation/freight forwarding companies regarding the transit, transshipment, and re-export of dual-use items. The best practices identified herein represent the types of practices that many companies already observe, which is consistent with the broader view of the Department of Commerce (DOC) that implementing effective export compliance programs is an important component of responsible corporate citizenship and good business practices generally.

#### Overview

Dual-use export control laws are predicated on the security and reliability of supply chains. Both the licensing of export transactions in dual-use items and the allowance of license-excepted transactions in such items are premised on the assurance that such

items: (i) Will not be used for a prohibited end-use, (ii) will be in the possession of the person or organization contemplated as the end-user at the time of export, and (iii) will be utilized in the country contemplated as the country of end-use when the item is exported. The diversion of controlled goods or technologies—even inadvertently—from such contemplated end-use, end-user, or destination constitutes a serious threat to the efficacy of export control regimes. Such diversion undermines efforts to counter the proliferation of weapons of mass destruction, terrorism, and other threats to national and international security.

Global “transshipment hubs”—i.e., countries or areas that function as major hubs for the trading and shipment of cargo—pose special risks of diversion. The concentrated presence of commercial infrastructure (e.g., trading companies, brokerages, and free trade zones) that facilitates large volumes of transit, transshipment, import and re-export traffic through such points make transshipment hubs particularly vulnerable to the diversion of sensitive items to illicit purposes.

To combat this risk, the United States Government has implemented a number of initiatives to work with industry and foreign governments. DOC, for example, has launched the Transshipment Country Export Control Initiative (TECI). TECI seeks to channel existing and new export control practices toward countering the diversion of controlled items through global transshipment hubs. TECI has two principal prongs. Under the first prong, DOC seeks to improve cooperation and communication with relevant agencies in key transshipment hubs charged with administering export and trade control laws.<sup>1</sup> Such efforts are already underway with respect to a number of key transshipment countries and will be launched with respect to others in the near future.

Under TECI’s second prong, DOC seeks to work with the private sector businesses and individuals involved in the transshipment of goods to enhance their ability to prevent the diversion of controlled items. In the course of this dialogue, a number of organizations have noted the absence of a clearly stated set of export control “best practices” tailored to the particular activities and circumstances of entities

that facilitate the export or re-export of dual-use items to, from, or through transshipment hubs (such as “Trade Facilitators/Freight Forwarders”) include freight forwarders, brokers, air and marine cargo carriers, express shipment carriers, port operators, and port authorities) as well as entities that export dual-use items to transshipment hubs or that re-export such items from such hubs (“Exporters/Re-exporters”). The absence of a single organization or forum representing these many diverse businesses involved in transshipment makes it unlikely that such a set of best practices would be developed without DOC coordination.

Set forth below, for public comment, is a draft set of best practices for use by Trade Facilitators/Freight Forwarders and Exporters/Re-Exporters in guiding the export control compliance activities of companies involved in the transshipment, transit, and re-export of dual-use items. They are based on input provided at DOC-sponsored export control compliance seminars and other events, and on the observations of best practices by DOC staff and export control practitioners involved in both the administration and enforcement of export controls.

The publication of these best practices creates no legal obligation to comply with such practices on the part of any person. Compliance with these best practices creates no defense to liability for the violation of export control laws. However, demonstrated compliance with these best practices by a company will be considered an important mitigating factor in administrative prosecutions arising out of violations of the Export Administration Regulations by that company.

#### **Best Practices for Exporters/Re-Exporters and Trade Facilitation/Freight Forwarding Companies Regarding the Transit, Transshipment, and Reexport of Dual-Use Items**

##### *Purpose*

To help industry, and in particular Trade Facilitators/Freight Forwarders and Exporters/Re-Exporters, contribute to a reduction in the illicit transshipment, transit, or re-export of dual-use items subject to U.S. and foreign export controls, and to facilitate legitimate global commerce by improving the capacity to distinguish between licit and illicit transactions.

##### *Principles*

1. Industry and government should work together to foster secure trade that reduces the risk of diversion of items subject to export controls.

2. Secure trade will reduce the diversion of dual-use items to prohibited end-uses, end-users, and destinations.

3. Secure trade will encourage the more expeditious movement of legitimate trade through borders and ports.

4. Industry can achieve secure trade objectives through appropriate export management practices.

##### *Scope*

The best practices identified herein:

1. Are designed Trade Facilitators/Freight Forwarders and Exporters/Re-Exporters. The terms “Company” and “Companies”, when used herein, refer to all of these types of entities;

2. Are designed to apply to transactions subject to the jurisdiction of the Department of Commerce; and

3. Complement the set of Best Practices for Exporters/Shippers found in the U.S. Department of Commerce Export Management System. Additional information on the Export Management System resides on the BIS Web site at <http://www.bis.doc.gov/ExportManagementSystems/Default.htm>.

##### *Company Policy and Company Management*

1. Each Company should develop a written policy against allowing its exports or services to contribute to terrorism or programs of proliferation concern.

2. Each Company should identify one person, who reports to the Company’s Chief Executive Officer, General Counsel, or other senior management official (but not to a sales or marketing official), as the ultimate party responsible for oversight of the Company’s export control compliance program.

3. Each Company should create an export control compliance program. Companies should integrate this compliance program into its overall regulatory compliance, security, and ethics programs.

4. Each Company should ensure that relevant Company personnel receive regular training in export control compliance responsibilities, and should consider offering to its employees incentives for compliance (and disincentives for noncompliance) with their export control responsibilities.

5. Exporters/Re-Exporters should seek to utilize only those Trade Facilitators/Freight Forwarders that also observe these best practices.

##### *Compliance Activities: General*

6. An Exporter/Re-Exporter should classify each of its products according

<sup>1</sup> A number of U.S. Government agencies, including the DOC, also work with the governments of those hubs to strengthen their indigenous export control regimes, including conducting technical assistance activities as part of the Export Control and Related Border Security Assistance (EXBS) Program managed by the U.S. Department of State.

the requirements of the Export Administration Regulations (EAR), 15 CFR Parts 730–774 (2003), and should communicate the appropriate Export Control Classification Number (ECCN) or other classification information for each export to the Trade Facilitator/Freight Forwarder and the end-user involved in that export (even if the shipment is made under an EAR License Exception). Each Company involved in the transaction should also maintain a record of such classification for every export.

7. A Company should screen all parties to the transaction against all relevant lists (such as the Denied Persons List, Unverified List, Entities List, and lists of U.S. Government-sanctioned parties), and should maintain a record of such screening.

8. A Company should screen all exports/re-exports against a list of embargoed destinations, and should maintain a record of such screening.

#### *Compliance Activities: Transshipment Hub<sup>2</sup>-Specific*

9. With respect to transactions to, from, or through transshipment hubs, Exporters/Re-Exporters should take appropriate steps to know who the end-user is and to determine whether the item will be re-exported or incorporated in an item to be re-exported. An Exporter/Re-Exporter of a dual-use item under license should inform the end-user, distributor, or other appropriate recipient of the item of the license terms and conditions for such export.

10. With respect to transactions to, from, or through transshipment hubs, Companies should have in place compliance and/or business procedures to be immediately responsive to theft or unauthorized delivery. This include procedures—including documented confirmation—to ensure that the item exported has reached the proper end-user.

11. With respect to transactions to, from, or through transshipment hubs, Companies should pay heightened attention to the Red Flag Indicators on the BIS Web site (see <http://www.bis.doc.gov/Enforcement/redflags.htm>) and in the “Know Your Customer Guidance” set forth in Supplement 3 to part 732 of the EAR.

#### *Responding to Suspicious Transactions*

12. When a Company encounters a suspicious transaction, it should halt the shipment and consult with its export control compliance specialist. If

the transaction is determined to involve a potential or actual violation of the EAR, the Company should contact BIS or another U.S. law enforcement agency immediately and maintain all relevant records.

#### *Request for Comments*

Parties submitting comments are asked to be as specific as possible. BIS encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close June 16, 2003. BIS will consider comments on any aspect or consequence of any part or all of this proposal. Comments received after the end of the comment period will be considered if possible, but their consideration cannot be assured. BIS will not accept comments accompanied by a request that a part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. BIS will return such comments and materials to the persons submitting them and will not consider them in developing any final “Best Practices” document that it may publish. All comments on this proposal will be a matter of public record and will be available for public inspection and copying. All comments must be submitted in writing (including facsimile or e-mail).

The public record concerning these comments will be maintained in the Bureau of Industry and Security, Office of Administration, U.S. Department of Commerce, Room 6883, 14th and Constitution Avenue, NW., Washington, DC 20230; (202) 482–0637. This component does not maintain a separate public inspection facility. Requesters should first view BIS’s FOIA website (which can be reached through <http://www.bis.doc.gov/foia>). If the records sought cannot be located at this site, or if the requester does not have access to a computer, please call the phone number above for assistance.

**Kenneth I. Juster,**

*Under Secretary for Industry and Security.*

[FR Doc. 03–12265 Filed 5–15–03; 8:45 am]

**BILLING CODE 3510–33–P**

## **DEPARTMENT OF COMMERCE**

### **Bureau of Industry and Security**

**[Docket No. 030509121–3121–01]**

#### **Addition of Persons to Unverified List—Guidance as to “Red Flags” Under Supplement No. 3 to 15 CFR Part 732**

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Notice.

**SUMMARY:** On June 14, 2002, the Bureau of Industry and Security (“BIS”) published a notice in the **Federal Register** that set forth a list of persons in foreign countries who were parties to past export transactions where pre-license checks (“PLC”) or post-shipment verifications (“PSV”) could not be conducted for reasons outside the control of the U.S. Government (“Unverified List”). This notice also advised exporters that the involvement of a listed person as a party to a proposed transaction constitutes a “red flag” as described in the guidance set forth in Supplement No. 3 to 15 CFR part 732, requiring heightened scrutiny by the exporter before proceeding with such a transaction. The notice also stated that, when warranted, BIS would add persons to the Unverified List. This notice adds Lucktrade International PTE Ltd. and Peluang Teguh which are located in Singapore, and Lucktrade International which is located in Hong Kong to the Unverified List.

**DATES:** This notice is effective May 16, 2003.

#### **FOR FURTHER INFORMATION CONTACT:**

Thomas W. Andrukonis, Office of Enforcement Analysis, Bureau of Industry and Security, Telephone: (202) 482–4255.

**SUPPLEMENTARY INFORMATION:** In administering export controls under the Export Administration Regulations (15 CFR parts 730 to 774) (“EAR”), BIS carries out a number of preventive enforcement activities with respect to individual export transactions. Such activities are intended to assess diversion risks, identify potential violations, verify end-uses, and determine the suitability of end-users to receive U.S. commodities or technology. In carrying out these activities, BIS officials, or officials of other federal agencies acting on BIS’s behalf, selectively conduct PLCs to verify the bona fides of the transaction and the suitability of the end-user or ultimate consignee. In addition, such officials sometimes carry out PSVs to ensure that U.S. exports have actually been

<sup>2</sup>DOC’s TECI has focused its efforts on the following transshipment hubs: Cyprus, Hong Kong, Malaysia, Malta, Panama, Singapore, Taiwan, Thailand, and the United Arab Emirates.