

**CATEGORIES OF INDIVIDUALS COVERED BY SYSTEM:**

Scholarship applicants and recipients of scholarship awards.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Application Packages, including: General Information Sheet, Statement of Intent, Institute Certification, Transcripts, and Letters of Recommendation; Annual Progress Reports; Tuition Statements and Receipts.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

National Marine Sanctuaries Amendments Act of 2000 (Pub. L. 106-513 sec. 318).

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Records will be used to track scholarship recipients' academic progress and to make annual financial awards.

The following routine uses apply:

1. A record from this system of records may be disclosed to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information, or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

2. A record from this system of records may be disclosed to a Federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring, or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

3. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

4. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

5. A record in this system of records may be disclosed to the Department of

Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

6. A record in this system may be transferred to the Office of Personnel Management for personnel research purposes, as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related manpower studies.

7. A record from this system of records may be disclosed to the Administrator, General Services, or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose and any other relevant (*i.e.* GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Paper records in file folder or distributed to individuals and management; microfilm and electronic storage media.

**RETRIEVABILITY:**

Scholarship recipient files will be alphabetized by recipient's last name. Documents may be retrieved by the individual's name.

**SAFEGUARDS:**

Buildings employ security systems. Records are maintained in areas accessible only to authorized personnel who are properly screened and cleared.

**RETENTION AND DISPOSAL:**

Records retention and disposal is in accordance with the agency's records disposition schedule.

**SYSTEM MANAGER AND ADDRESS:**

Program Administrator, Dr. Nancy Foster Scholarship Program, National Ocean Service, Office of the Assistant Administrator, 1305 East-West Highway, 13th Floor, Silver Spring, MD 20910-3281.

**NOTIFICATION PROCEDURE:**

Information may be obtained from: Program Administrator, Dr. Nancy Foster Scholarship Program, National Ocean Service, Office of the Assistant

Administrator, 1305 East-West Highway, 13th Floor, Silver Spring, MD 20910-3281.

**RECORD ACCESS PROCEDURES:**

Requests from individuals should be addressed to: Program Administrator, Dr. Nancy Foster Scholarship Program, National Ocean Service, Office of the Assistant Administrator, 1305 East-West Highway, 13th Floor, Silver Spring, MD 20910-3281.

**CONTESTING RECORD PROCEDURES:**

The Department's rules for access, for contesting contents, and for appealing initial determinations by the individual concerned appear in 15 CFR part 4B. Use above address.

**RECORD SOURCE CATEGORIES:**

Scholarship applicants and recipients.

Dated: October 9, 2002.

**Brenda Dolan,**

*Department of Commerce, Freedom of Information/Privacy Act Officer.*

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**BILLING CODE 3510-JE-P**

**DEPARTMENT OF COMMERCE**

[Docket No. 021007231-2231-01]

**Privacy Act of 1974: System of Records**

**AGENCY:** Department of Commerce.

**ACTION:** Notice of a new System of Records: Commerce/NOAA System-15: Alaska Region-North Pacific Groundfish Observer Program: Certified Domestic Observer Final Evaluations.

**SUMMARY:** This notice announces the Department's proposal for a new system of records under the Privacy Act. The system is entitled "Commerce/NOAA System-15: Alaska Region—North Pacific Groundfish Observer Program: Certified Domestic Observer Final Evaluations." The National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) is creating a new system of records for monitoring the performance of observers in the North Pacific groundfish fisheries. All observers hired by contractors and deployed on board vessels and at shoreside processing facilities that participate in the Alaska groundfish fisheries must satisfactorily execute their duties according to NMFS standards of observer conduct. This record system is designed to: (1) Monitor the performance of these observers; (2) ensure satisfactory compliance with NMFS standards of observer conduct; and (3) continue the

collection of data for the management of the North Pacific groundfish fisheries.

**DATES:** The system will become effective without further notice on November 15, 2002 unless comments dictate otherwise.

Written comments must be submitted on or before November 15, 2002.

**ADDRESSES:** Comments should be sent to Sue Salvesson, Assistant Regional Administrator for Sustainable Fisheries, Alaska Region, National Marine Fisheries Service, P.O. Box 21668, Juneau, Alaska 99802, *Attn:* Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, Alaska, 99802.

**FOR FURTHER INFORMATION CONTACT:** Bridget Mansfield, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** Pursuant to the implementation of the North Pacific Groundfish Observer Program (50 CFR 679.50), contractors hiring and deploying observers on board vessels and at shoreside processing facilities that participate in the Alaska groundfish fisheries are required to monitor observers' performance to ensure satisfactory execution of duties by observers and observer conformance with NMFS standards of observer conduct. This monitoring is best accomplished through access to the observer performance evaluations conducted by NMFS for each completed deployment by each observer. A new system of records is being created by NMFS, Alaska Region, to maintain this monitoring. This record system will be listed under Commerce/NOAA System 15-Alaska Region—North Pacific Groundfish Observer Program: Certified Domestic Observer Final Evaluations.

NMFS finds no probable or potential adverse effects of the proposal on the privacy of individuals. To minimize the risk of unauthorized access to the system of records, electronic data will be stored securely with access limited to those NMFS employees whose official duties require access. Paper copies of records are made to fax information to the contractors included in this system of records. The paper copies are maintained in personnel folders in locked file cabinets in rooms accessible only to authorized personnel.

#### COMMERCE/NOAA-15

##### SYSTEM NAME:

Alaska Region-North Pacific Groundfish Observer Program: Certified Domestic Observer Final Evaluations.

##### SYSTEM LOCATION:

The National Marine Fisheries Service, Alaska Fisheries Science Center, North Pacific Groundfish Observer Program, 7600 Sand Point Way

NE, Building 4, Seattle, Washington 98115-0070.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

NMFS-certified groundfish observers and NMFS-certified contractors (observer provider companies).

##### Categories of Records in the System:

Certified Domestic Observer Final Evaluations are completed by North Pacific Groundfish Observer Program staff for each NMFS-certified observer upon the completion of each deployment. A deployment is a period of time not to exceed 90 days when an observer is assigned to work aboard a fishing vessel or in a shoreside processor. The Certified Domestic Observer Final Evaluations include the following information: Observer name; debriefer name; cruise number; future training recommendation; mid-cruise briefing requirement; deployment history, including vessel or plant names, and dates deployed at each; deployment scores; and narrative evaluations.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1853.

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature and whether arising by general statute or particular program statute or contract, or rule, regulation or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

2. A record from this system of records may be disclosed to a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed to a Federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record in this system of records may be disclosed to a Member of Congress submitting a request involving an individual when the individual has requested assistance from the Member with respect to the subject matter of the record.

6. A record in this system of records may be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

7. A record in this system of records may be disclosed to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

8. A record in this system of records may be disclosed to a contractor of the Department having need for the information in the performance of the contract, but not operating a system of records within the meaning of 5 U.S.C. 552a(m).

9. A record in this system may be transferred to the Office of Personnel Management for personnel research purposes, as a data source for management information, for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or related to manpower studies.

10. A record in this system may be disclosed to the Administrator, General Services, or his designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations

governing inspection of records for this purpose and any other relevant (*i.e.* GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.

11. NMFS will make available to each NMFS-certified contractor a NMFS-generated final evaluation, containing the information described above, for each observer deployment made under contract with that contractor.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Electronic storage on computers or disk; paper records in file folders individually named and kept in secure file cabinets.

**RETRIEVABILITY:**

Observers are assigned observer numbers and "cruise" (or deployment) numbers. Documents can be electronically retrieved by observer name or observer number combined with cruise number and year of deployment. Contractors included in this system of records do not have electronic access to this information. Paper printouts of electronic records will be made by NMFS staff to transmit via fax to the contractors included in this system of records.

**SAFEGUARDS:**

Grounds and buildings employ security systems. Where electronic information is retrievable by terminal, all safeguards appropriate to secure the telecommunications system (hardware and software) are utilized. Paper records are maintained in secured file cabinets in areas that are accessible only to authorized personnel. NMFS-certified contractors, to whom access to this information is granted in accordance with this systems of records routine uses provision, are instructed on the confidential nature of this information.

**RETENTION AND DISPOSAL:**

Retention and disposal is in accordance with the National Archives Records Administration and the Department of Commerce record keeping procedures.

**SYSTEM MANAGER(S) AND ADDRESS:**

North Pacific Groundfish Observer Program Task Leader, Alaska Fisheries Science Center, North Pacific Groundfish Observer Program, 7600 Sand Point Way NE, BIN C15700, Building 4, Seattle, Washington, 98115-0070.

**NOTIFICATION PROCEDURE:**

Privacy Act information contained in this system of records may be requested from the system manager at the address above and must be approved by the Office of General Counsel, National Oceanic and Atmospheric Administration, Alaska Region. A requestor, including a NMFS-certified observer seeking information on himself or herself, should provide name, address, date of application, and record sought, pursuant to the inquiry provisions of the Department of Commerce's rules which appear in 15 CFR part 4b—Privacy Act.

**RECORD ACCESS PROCEDURES:**

Upon completion of each deployment debriefing, NMFS will fax a copy of the observer's final deployment evaluation to the observer's contracting company. The observer provider company must keep the observer evaluation record confidential and cannot release it without prior written release from the observer. Each observer is provided with a copy of his or her final evaluation upon completion of that debriefing. A request from a NMFS-certified observer for past evaluations should be addressed to the same address as stated in the notification section above.

**CONTESTING RECORD PROCEDURES:**

The Department's rules for access, for contesting contents, and for appealing initial determinations by the individual concerned appear in 15 CFR part 4b—Privacy Act.

**RECORD SOURCE CATEGORIES:**

NMFS-certified observers and North Pacific Groundfish Observer Program staff.

Dated: October 9, 2002.

**Brenda S. Dolan,**

*Department of Commerce, Freedom of Information/Privacy Act Officer.*

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**DEPARTMENT OF COMMERCE**

**Foreign-Trade Zones Board**

**[Docket 39-2002]**

**Foreign-Trade Zone 143—Sacramento, CA; Application for Foreign-Trade Subzone Status, Flint Ink North America Corporation (Pigments, Inks, and Varnish Products), West Sacramento, CA**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Sacramento-Yolo Port

District, grantee of FTZ 143, requesting special-purpose subzone status for the manufacturing and distribution facilities (pigments, inks, and varnish products) of Flint Ink North America Corporation (Flint Ink) in West Sacramento, California. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 7, 2002.

The Flint Ink facilities are located at 1115 Shore Street, West Sacramento, California (65.824 square feet of enclosed space on 4 acres). The facilities (28 employees) are used to manufacture, test, package, and warehouse pigments, inks, and varnish products primarily for use by the graphic arts industry.

Foreign-sourced materials account for approximately 10 to 50 percent of the finished-product value of Flint Ink's current products, and may include items from the following categories: Petroleum oils and mineral oils, distillates; hydrogen chloride and chlorosulfuric acid; sodium and potassium hydroxides; chlorides, chloride oxides, chloride hydroxides, bromides, bromide oxides, iodides and iodide oxides; nitrites and nitrates; acyclic alcohols and their derivatives; phenols and phenol-alcohols; ketones, quinines, and their derivatives; polycarboxylic acids and their derivatives; carboxylic acids and their derivatives; amine function compounds; carboxamide-function compounds and amide-function compounds of carbonic acid; heterocyclic compounds, and nucleic acids and their salts; nucleic acids and their salts, and other heterocyclic compounds; synthetic organic coloring matter, preparations based thereon, and synthetic organic products used as fluorescent brightening agents or luminophores; other coloring matter; printing ink, writing or drawing ink, and other inks; artificial waxes and prepared waxes; rosin, resin, and derivatives thereof; reaction initiators, reaction accelerators, and catalytic preparations; polymers of vinyl chloride or other halogenated olefins in primary forms; polymers of vinyl acetate or other vinyl esters, and other vinyl polymers, in primary forms; petroleum resins, coumarone-indene resins, polyterpenes, polysulfides, polysulfones, and other products in primary forms; and cellulose and its chemical derivatives in primary forms.

Zone procedures would allow the company to choose the duty rates that apply to the finished products (the primary initial finished product has a duty rate of 1.8% *ad valorem*; potential finished products have rates ranging