

a statistically valid national estimate and evaluation of wear rates of PFDs by recreational boaters. Wear rate should be determined by actual observation of boaters rather than other means such as surveys. Point of Contact: Mr. Peter Eikenberry, (202) 267-6894.

7. *Recreational Boat Navigation Light Installation Practices.* The Coast Guard seeks a grantee to conduct a study of recreational boat navigation light installation practices. This study shall include both traditional incandescent and light emitting diode (LED) lights installed in recreational boats and/or available for sale as after market items. The study shall be focused on identifying issues related to compliance with Rules of the Road, and particularly instances in which the specific positioning of navigation lights may cause glare or other effects that interfere with the operator's visibility. The study shall identify instances in which compliance with Rules of the Road lighting requirements may not serve to enhance the safety of recreational boaters. The grantee shall make recommendations for changes to recreational lights that will enhance safety. Point of Contact: Mr. Richard Blackman, (202) 267-6810.

8. *Recreational Boating Study/Survey Analysis.* This project is a multiple phase project, with the first phase already in progress. The first phase of the project has been directed primarily at compiling and reviewing boating studies and reports, categorizing and summarizing research in a format that will encourage and facilitate its use by boating businesses and agencies, and in developing Web-based mechanisms to efficiently maintain this information (e.g., on-line boating research tracking form, boating research discussion page). Web-based tools are also being utilized to encourage research-related dialogue and future research partnerships, identify recreational boating research priorities and opportunities for multiple purpose studies, and widely publish and disseminate the resulting literature review and project deliverables. The second phase of the project will continue to identify, compile and analyze boating studies. During the second phase, more attention will be directed to encouraging dialogue focused on identifying future research agendas for boating research, and developing partnerships that will coordinate and make studies more comparable (e.g., comparable definitions, sampling, definitions). For example, instead of doing separate boating safety studies, safety issues and behaviors could be incorporated into existing research projects where

appropriate. These subsequent efforts will also identify and propose uniform definitions for boating-related terms and concepts, along with other common research variables that will enhance the potential of integration and comparability across recreational boating studies. In the second phase of the project, grantee is to convene a high-level symposium with representation from industry associations, marine trade associations, state and federal boating agencies, and university researchers to: establish boating research priorities, identify ways to encourage integrated multiple-sponsor studies, and to develop a funding strategy for encouraging and supporting these initiatives. Point of Contact: Mr. Bruce Schmidt, (202) 267-0955.

9. *Navigation Lighting On Barges.* The Coast Guard seeks a grantee to research and analyze the danger posed to recreational boaters by barges, both under tow and being pushed, under the conditions of reduced visibility. The grantee would provide recommendations for additional lighting or other means to increase the visibility of the barges. Any lighting recommendations must be consistent with Rule 20 of the Navigation Rules (33 U.S.C. 2020), that is, additional lights cannot be mistaken for the lights specified in the Rules and do not impair their visibility or distinctive character. Point of Contact: Mr. Rick Gipe, (202) 267-0985.

Potential grantees should focus on partnership, *i.e.*, exploring other sources, linkages, in-kind contributions, cost sharing, and partnering with other organizations or corporations. We encourage proposals addressing other boating safety concerns.

The Boating Safety Financial Assistance Program is listed in section 20.005 of the Catalog of Federal Domestic Assistance.

Dated: September 30, 2003.

**Jeffrey J. Hathaway,**

*Rear Admiral, U. S. Coast Guard, Director of Operations Policy.*

[FR Doc. 03-25418 Filed 10-7-03; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[USCG-2003-16252]

### Senior Executive Service Performance Review Board Membership

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of appointments.

**SUMMARY:** The Coast Guard is providing notice of the appointment of nine individuals to serve on its Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** David Hyde, Chief, Office of Civilian Personnel, (202) 267-0921.

**SUPPLEMENTARY INFORMATION:** Under 5 U.S.C. 4314(c)(4), the Coast Guard is required to publish the names of individuals appointed to serve on the Coast Guard Performance Review Board (CGPRB). The following nine persons have been selected to serve on the CGPRB:

Rear Admiral K. T. Venuto, Assistant Commandant for Human Resources, United States Coast Guard; Rear Admiral R. J. Papp, Director of Reserve and Training, United States Coast Guard; Rear Admiral E. M. Brown, Assistant Commandant for Systems, United States Coast Guard; Rear Admiral J. C. Olson, Director of Operations Capability, United States Coast Guard; Rear Admiral J. J. Hathaway, Director of Operations Policy, United States Coast Guard; Mr. John Matticks, Senior Planning Advisor, Federal Emergency Management Agency; Dr. Marjorie Budd, Assistant Commissioner for Training and Development, U.S. Customs and Border Protection; Mr. Thomas Grupski, Deputy Assistant Director, Protective Operations Office, U.S. Secret Service; Mr. James L. Dunlap, Deputy Assistant Director, Human Resources and Training, U.S. Secret Service.

Dated: October 1, 2003.

**David Hyde,**

*Chief, Office of Civilian Personnel.*

[FR Doc. 03-25417 Filed 10-7-03; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

### List of Foreign Entities Violating Textile Transshipment and Country of Origin Rules

**AGENCY:** Bureau of Customs and Border Protection, Homeland Security.

**ACTION:** General notice.

**SUMMARY:** This document notifies the public of foreign entities which have been issued a penalty claim under section 592 of the Tariff Act of 1930, for certain violations of the customs laws. This list is authorized to be published by section 333 of the Uruguay Round Agreements Act.

**DATES:** This document notifies the public of the semiannual list for the 6-month period starting October 1, 2003, and ending March 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** For information regarding any of the operational aspects, contact Gregory Olsavsky, Fines, Penalties and Forfeitures Branch, Office of Field Operations, (202) 927-3119. For information regarding any of the legal aspects, contact Willem A. Daman, Office of Chief Counsel, (202) 927-6900.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 333 of the Uruguay Round Agreements Act (URAA) (Pub. L. 103-465, 108 Stat. 4809) (signed December 8, 1994), entitled Textile Transshipments, amended part V of title IV of the Tariff Act of 1930 by creating a section 592A (19 U.S.C. 1592a), which authorizes the Secretary of the Treasury to publish in the **Federal Register**, on a semiannual basis, a list of the names of any producers, manufacturers, suppliers, sellers, exporters, or other persons located outside the Customs territory of the United States, when these entities and/or persons have been issued a penalty claim under section 592 of the Tariff Act, for certain violations of the customs laws, provided that certain conditions are satisfied.

The violations of the customs laws referred to above are the following: (1) Using documentation, or providing documentation subsequently used by the importer of record, which indicates a false or fraudulent country of origin or source of textile or apparel products; (2) Using counterfeit visas, licenses, permits, bills of lading, or similar documentation, or providing counterfeit visas, licenses, permits, bills of lading, or similar documentation that is subsequently used by the importer of record, with respect to the entry into the Customs territory of the United States of textile or apparel products; (3) Manufacturing, producing, supplying, or selling textile or apparel products which are falsely or fraudulently labeled as to country of origin or source; and (4) Engaging in practices which aid or abet the transshipment, through a country other than the country of origin, of textile or apparel products in a manner which conceals the true origin of the textile or apparel products or permits the evasion of quotas on, or voluntary restraint agreements with respect to, imports of textile or apparel products.

If a penalty claim has been issued with respect to any of the above violations, and no petition in response to the claim has been filed, the name of

the party to whom the penalty claim was issued will appear on the list. If a petition or supplemental petition for relief from the penalty claim is submitted under 19 U.S.C. 1618, in accord with the time periods established by sections 171.2 and 171.61, Customs Regulations (19 CFR 171.2, 171.61) and the petition is subsequently denied or the penalty is mitigated, and no further petition, if allowed, is received within 60 days of the denial or allowance of mitigation, then the administrative action shall be deemed to be final and administrative remedies will be deemed to be exhausted. Consequently, the name of the party to whom the penalty claim was issued will appear on the list. However, provision is made for an appeal to the Secretary of the Treasury (now delegated to the Secretary of Homeland Security) by the person named on the list, for the removal of its name from the list. If the Secretary finds that such person or entity has not committed any of the enumerated violations for a period of not less than 3 years after the date on which the person or entity's name was published, the name will be removed from the list as of the next publication of the list.

**Reasonable Care Required**

Section 592A also requires any importer of record entering, introducing, or attempting to introduce into the commerce of the United States textile or apparel products that were either directly or indirectly produced, manufactured, supplied, sold, exported, or transported by such named person to show, to the satisfaction of the Secretary, that such importer has exercised reasonable care to ensure that the textile or apparel products are accompanied by documentation, packaging, and labeling that are accurate as to its origin. Reliance solely upon information regarding the imported product from a person named on the list is clearly not the exercise of reasonable care. Thus, the textile and apparel importers who have some commercial relationship with one or more of the listed parties must exercise a degree of reasonable care in ensuring that the documentation covering the imported merchandise, as well as its packaging and labeling, is accurate as to the country of origin of the merchandise. This degree of reasonable care must involve reliance on more than information supplied by the named party.

In meeting the reasonable care standard when importing textile or apparel products and when dealing with a party named on the list published pursuant to section 592A of the Tariff

Act of 1930, an importer should consider the following questions in attempting to ensure that the documentation, packaging, and labeling is accurate as to the country of origin of the imported merchandise. The list of questions is not exhaustive but is illustrative.

(1) Has the importer had a prior relationship with the named party?

(2) Has the importer had any detentions and/or seizures of textile or apparel products that were directly or indirectly produced, supplied, or transported by the named party?

(3) Has the importer visited the company's premises and ascertained that the company has the capacity to produce the merchandise?

(4) Where a claim of an origin conferring process is made in accordance with 19 CFR 102.21, has the importer ascertained that the named party actually performed the required process?

(5) Is the named party operating from the same country as is represented by that party on the documentation, packaging or labeling?

(6) Have quotas for the imported merchandise closed or are they nearing closing from the main producer countries for this commodity?

(7) What is the history of this country regarding this commodity?

(8) Have you asked questions of your supplier regarding the origin of the product?

(9) Where the importation is accompanied by a visa, permit, or license, has the importer verified with the supplier or manufacturer that the visa, permit, and/or license is both valid and accurate as to its origin? Has the importer scrutinized the visa, permit or license as to any irregularities that would call its authenticity into question?

The law authorizes a semiannual publication of the names of the foreign entities and/or persons. On May 23, 2003, Customs and Border Protection (CBP) published a notice in the **Federal Register** (68 FR 28238) which identified three (3) entities which fell within the purview of section 592A of the Tariff Act of 1930.

**592A List**

For the period ending September 30, 2003, CBP has identified 2 (two) foreign entities that fall within the purview of section 592A of the Tariff Act of 1930. This list reflects no new entities and one removal to the 3 entities named on the list published on May 23, 2003. The parties on the current list were assessed a penalty claim under 19 U.S.C. 1592, for one or more of the four above-

described violations. The administrative penalty action was concluded against the parties by one of the actions noted above as having terminated the administrative process.

The names and addresses of the 2 foreign parties which have been assessed penalties by CBP for violations of section 592 are listed below pursuant to section 592A. This list supersedes any previously published list. The names and addresses of the 2 foreign parties are as follows (the parenthesis following the listing sets forth the month and year in which the name of the company was first published in the **Federal Register**):

Everlite Manufacturing Company, P.O. Box 90936, Tsimshatsui, Kowloon, Hong Kong (3/01).

Fairfield Line (HK) Co. Ltd., 60-66 Wing Tai Commer., Bldg. 1/F, Sheung Wan, Hong Kong (3/01).

Either of the above parties may petition to have its name removed from the list. Such petitions, to include any documentation that the petitioner deems pertinent to the petition, should be forwarded to the Assistant Commissioner, Office of Field Operations, Bureau of Customs and Border Protection, 1300 Pennsylvania Avenue, NW., Washington, DC 20229.

Dated: October 1, 2003.

**Jayson P. Ahern,**

*Assistant Commissioner, Office of Field Operations.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of Draft Comprehensive Conservation Plan and Environmental Assessment for Muleshoe National Wildlife Refuge, Muleshoe, TX and Grulla National Wildlife Refuge, Arch, NM

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces that a Draft Comprehensive Conservation Plan (CCP) and Environmental Analysis (EA) for the Muleshoe and Grulla National Wildlife Refuges is available for review and comment. This CCP/EA, prepared pursuant to the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, and the National Environmental Policy Act of 1969, describes how the

Service intends to manage these refuges over the next 15 years.

**DATES:** Written comments must be received on or before November 24, 2003.

**ADDRESSES:** Send comments to Carol Torrez, Biologist/Natural Resource Planner, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico, 87103-1306, Telephone: (505) 248-6821, Fax: (505) 248-6874.

Comments may also be sent via electronic mail to: [carol\\_torrez@fws.gov](mailto:carol_torrez@fws.gov)

The draft CCP/EA is available on compact diskette or hard copy, and may be obtained by writing, telephoning, faxing, or e-mailing Carol Torrez at the above listed address.

**FOR FURTHER INFORMATION CONTACT:**

Carol Torrez, Biologist/Natural Resource Planner, 505-248-6821 or Harold Beierman, Refuge Manager, 806-946-3341.

**SUPPLEMENTARY INFORMATION:**

**Public Involvement**

The draft CCP/EA is available for public review and comment for a period of 45 days. Copies of the document can be obtained as indicated in the

**ADDRESSES** section. In addition, documents will be available for public inspection during normal business hours (8-4:30) at the Muleshoe NWR Headquarters Office, 20 miles south of Muleshoe, Texas, off Highway 214, and at the following libraries:

Muleshoe Public Library, 322 West 2nd Street, Muleshoe, Texas 79347,  
Lamb County Library, 232 Phelps Avenue, Littlefield, Texas 79339,  
Cochran County Love Memorial Library, 318 South Main Street, Morton, Texas 79346,  
City of Portales Library, 218 South Avenue B, Portales, New Mexico 88130.

A public meeting to receive comments on the Draft CCP/EA will be held at the Muleshoe NWR Headquarters Office during the open comment period (in November 2003). Special mailings, newspaper articles, and/or other media announcements will be used to inform the public of the date and time of the meeting.

All comments received from individuals become part of the official public record. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's NEPA regulations [40 CFR 1506.6 (f)].

**Background**

The National Wildlife Refuge System Administration Act of 1966, as amended

by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee *et seq.*) requires a CCP. The purpose in developing CCPs is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife science, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, the CCPs identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update these CCPs at least every 15 years in accordance with the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4370d).

The Muleshoe National Wildlife Refuge was established on October 24, 1935 by the authority of the Migratory Bird Conservation Act (16 U.S.C. 712d) “\* \* \* for use as an inviolate sanctuary, or any other management purpose, for migratory birds.” Located in the south plains of west Texas, the 5,809 acre refuge is comprised of three shallow playa lakes and almost 5,000 acres of native short to mid-grass prairie. Only small areas of refuge land have been farmed. Much of the refuge grasslands are pristine examples of what the surrounding area was like before agricultural development. Management efforts focus on enhancing and restoring native grassland and wetland communities for sandhill cranes, waterfowl, other migratory birds, and resident wildlife.

The Grulla National Wildlife Refuge was established on November 6, 1969 by the authority of the Migratory Bird Conservation Act (45 Stat. 1222, as amended; U.S.C. 715) “\* \* \* for a migratory bird refuge primarily for the benefit and use of the lesser sandhill crane.” Located on the High Plains of eastern New Mexico adjacent to the Texas state line, this 3,236 acre refuge consists of a 2,330 acre shallow lake (Salt Lake) and 906 acres of native grasses and shrubs. The boundary of this refuge is very irregular and runs through the lake bed in several places. Only one access point is currently available to the public and the Service. The refuge provides outstanding wildlife habitat and viewing opportunities when Salt Lake holds