

(3) Better distinguish between life insurance and nonlife insurance for exports of direct insurance by separately collecting a percentage break out of the U.S. Reporter's global totals for premiums and losses on direct insurance exports for the categories of insurance with a savings component, freight, property and casualty, and other. This detail would be required from all reporters and collection would result in multiple methodological improvements, notably, enabling BEA to publish direct insurance broken down as suggested by international guidelines.

(4) Directly collect premium supplements for exports and use reported data to improve the estimation of premium supplements for imports. Only those reporters subject to filing country and affiliation detail on the mandatory schedules (*i.e.*, those reporters exceeding \$2 million in combined transactions, based on absolute value) will be required to respond to this question.

BEA also plans to discontinue the collection of the question requesting the U.S. Reporter's organization type and would no longer collect information on reinsurance reserve transfers (Schedule C) and catastrophic losses (Schedule D). These items are no longer necessary given other modifications made to the survey.

BEA estimates there will be minimal impact to the reporting burden because the burden associated with the additional data items required on the survey should not require an extensive search within company records, and burden associated with these new items will be offset by burden reductions from deleted survey items. Proposals one and two should not affect burden because BEA believes these data to be readily available in reporter records, or can be provided by many respondents based on recall, without the need to search existing records. Additionally, proposal three is a minor modification to data already collected on the 2018 BE-140 benchmark survey. Survey respondents who provided a breakout of direct insurance into life, freight, and other in 2018 will now be required to report transactions in insurance with a savings component, freight, property and casualty, and other. The additional category should have minimal impact on reporters, because, in 2018 reporters had to separately identify these transactions in order to classify them among the three categories used on the previous benchmark survey. BEA estimates there will be a 0.5 hour increase in reporting burden associated with the collection of detail on premium supplements, proposal four. However,

this additional data will only be required of respondents required to report country and affiliation detail on the mandatory schedules, whom BEA believes will also see a comparable reduction in burden associated with the elimination of Schedules C and D from the survey.

Therefore, although there are some expected increases in burden, BEA believes these increases to be negligible and primarily offset by a reduction in burden from data collected in 2018 which will no longer be collected on the 2023 survey. BEA believes the additional data is readily available in existing company accounting records, and therefore average burden for completing the survey will continue to be 5 hours per response. The language in the instructions and definitions will be reviewed and adjusted as necessary to clarify survey requirements.

II. Method of Collection

BEA will contact potential respondents by mail in January of 2024 to announce the upcoming benchmark survey. Respondents would then be notified in May 2024 that a completed BE-140 form is due July 31, 2024. Reports would be required from each U.S. person that had transactions in the covered insurance services with foreign persons during 2023. A response is required from persons subject to the reporting requirements of the BE-140 Benchmark Survey of Insurance Transactions by U.S. Insurance Companies with Foreign Persons, whether or not they are contacted by BEA.

BEA offers its electronic filing option, the eFile system, for use in reporting on Form BE-140. For more information about eFile, go to www.bea.gov/efile. In addition, BEA posts all its survey forms and reporting instructions on its website, www.bea.gov/ssb. These may be downloaded, completed, printed, and submitted via fax or mail.

III. Data

OMB Control Number: 0608-0073.

Form Number(s): BE-140.

Type of Review: Regular submission.

Affected Public: Business or other for-profit organizations.

Estimated Number of Respondents: 1,300 annually (1,000 reporting mandatory data and 300 that would file exemption claims or voluntary responses).

Estimated Time per Response: 9 hours is the average for the 600 respondents filing data by country and affiliation; 2 hours for the 400 respondents filing data by transaction type only, and 1 hour for those filing an exemption claim or other

response. Hours may vary considerably among respondents because of differences in company size and complexity.

Estimated Total Annual Burden Hours: 6,500.

Estimated Total Annual Cost to Public: \$0.

Respondent's Obligation: Mandatory.

Legal Authority: International Investment and Trade in Services Survey Act (Pub. L. 94-472, 22 U.S.C. 3101-3108, as amended).

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (b) the accuracy of the Agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments that you submit 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 ICR. 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 may 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.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Under Secretary of Economic Affairs, Commerce Department.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Tyler James Sumlin, 4318 South Florida Avenue, Lot 79, Inverness, FL 34450; Order Denying Export Privileges

On September 11, 2019, in the U.S. District Court for the Western District of Florida, Tyler James Sumlin ("Sumlin")

was convicted of violating 18 U.S.C. 554(a). Specifically, Sumlin was convicted of attempting to smuggle from the United States to Mexico firearms, namely silencers, a short barreled rifle, and a destructive device. As a result of his conviction, the Court sentenced Sumlin to five years of probation, \$100 assessment and \$150 criminal fine.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 554, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Sumlin’s conviction for violating 18 U.S.C. 554. As provided in Section 766.25 of the Export Administration Regulations (“EAR” or the “Regulations”), BIS provided notice and opportunity for Sumlin to make a written submission to BIS. 15 CFR 766.25.² BIS has not received a written submission from Sumlin.

Based upon my review of the record and consultations with BIS’s Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Sumlin’s export privileges under the Regulations for a period of seven years from the date of Sumlin’s conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Sumlin had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until September 11, 2026, Tyler James Sumlin, with a last known address of 4318 South Florida Avenue, Lot 79, Inverness, FL 34450, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives (“the Denied Person”), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as “item”)

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2022).

³ The Director, Office of Export Enforcement, is the authorizing official for issuance of denial orders pursuant to amendments to the Regulations (85 FR 73411, November 18, 2020).

exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of ECRA and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Sumlin by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Sumlin may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Sumlin and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until September 11, 2026.

John Sonderman,

Director, Office of Export Enforcement.

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Victor Thomas Diaz, III, Inmate Number: 79995–112, USP LOMPOC, U.S. Penitentiary, 3901 Klein Blvd., Lompoc, CA 93436; Order Denying Export Privileges

On April 18, 2022, in the U.S. District Court for the Central District of California, Victor Thomas Diaz, III (“Diaz”) was convicted of violating 18 U.S.C. 371. Specifically, Diaz was convicted of conspiring to knowingly, intentionally, and willfully engage in the business of dealing firearms without a license. As a result of his conviction, the Court sentenced Diaz to 24 months of confinement, three years of supervised release, and a \$200 assessment.

Pursuant to Section 1760(e) of the Export Control Reform Act (“ECRA”),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e). In addition, any Bureau of Industry and Security (“BIS”) licenses or other

¹ ECRA was enacted on August 13, 2018, as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852.