

will address the potential environmental impacts of replacing pine plantations in the German Ridge area of Perry County, Indiana with native hardwood communities.

DATES: The draft environmental impact statement is expected February 2004, and the final environmental impact statement is expected July 2004.

FOR FURTHER INFORMATION CONTACT: Ron Ellis, NEPA coordinator, Hoosier National Forest, USDA Forest Service; telephone; (812) 275-5987. Address: 811 Constitution Avenue; Bedford IN 47421. The original scoping document can also be viewed at the Hoosier National Forest Web page at http://www.fs.fed.us/r9/hoosier/project_docs/scoping/german_ridge_restoration.htm.

Responsible Official

Kenneth G. Day, Forest Supervisor; Hoosier National Forest; 811 Constitution Avenue; Bedford, Indiana 47421.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: November 4, 2003.

Kenneth G. Day,

Forest Supervisor.

[FR Doc. 03-28782 Filed 11-17-03; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service—Tennessee

Notice of Proposed Changes to Section IV of the Tennessee Field Office Technical Guide (FOTG)

AGENCY: Natural Resources Conservation Service (NRCS) in Tennessee, U.S. Department of Agriculture.

ACTION: Notice of availability of proposed changes in the Tennessee NRCS Field Office Technical Guide, Section IV, for review and comment.

SUMMARY: It has been determined by the NRCS State Conservationist for Tennessee that changes must be made in the NRCS Field Office Technical Guide, specifically in practice standard Wetland Creation (Code 658) to account for improved technology. This practice standard can be used in conservation systems designed to mitigate for wetland conversions.

DATES: Comments will be received for a 30-day period commencing with the date of this publication.

FOR FURTHER INFORMATION CONTACT: Inquire in writing to James W. Ford,

State Conservationist, Natural Resources Conservation Service (NRCS), 675 U.S. Courthouse, 801 Broadway, Nashville, Tennessee, 37203, telephone number (615) 277-2531. Copies of the practice standard will be made available upon written request.

SUPPLEMENTARY INFORMATION: Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law to NRCS state technical guides used to perform highly erodible land and wetland provisions of the law shall be made available for public review and comment. For the next 30 days, the NRCS in Tennessee will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Tennessee regarding disposition of those comments and a final determination of change will be made to the subject practice standard.

Dated: November 6, 2003.

James W. Ford,

State Conservationist.

[FR Doc. 03-28792 Filed 11-17-03; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Data Sharing Activity

AGENCY: Bureau of Economic Analysis, Department of Commerce.

ACTION: Notice of determination.

SUMMARY: The Bureau of Economic Analysis (BEA) will provide to the Bureau of the Census (Census Bureau) data collected from the Benchmark Survey of Foreign Direct Investment in the United States—1997 and the Benchmark Survey of U.S. Direct Investment Abroad—1999 for statistical purposes exclusively. In accordance with the requirement of Section 524(d) of the Confidential Information Protection and Statistical Efficiency Act of 2002 (CIPSEA), we provided the opportunity for public comment on this data-sharing action (see the July 7, 2003 edition of the **Federal Register** (68 FR 40241)). Through the use of these shared data, the Census Bureau will augment its existing research and development (R&D)-related data collected in the Survey of Industrial Research and Development, which is funded by the National Science Foundation (NSF). The Census Bureau will also identify data quality issues arising from reporting differences in the BEA and Census Bureau surveys and improve its survey

sample frames. The NSF will be provided non-confidential aggregate public use data and reports that have cleared BEA and Census Bureau disclosure review. Disclosure review is a process conducted to verify that the data to be released do not reveal any confidential information.

DATES: BEA will make the data collected from the Benchmark Survey of Foreign Direct Investment in the United States—1997 and the Benchmark Survey of U.S. Direct Investment Abroad—1999 available to the Census Bureau on November 18, 2003.

FOR FURTHER INFORMATION CONTACT: Requests for additional information on this program should be directed to Ned Howenstine, Chief, Research Branch, International Investment Division, Bureau of Economic Analysis (BE-50), Washington, DC 20230, by phone on (202) 606-9845 or by fax (202) 606-5318.

SUPPLEMENTARY INFORMATION:

Background

CIPSEA (Pub. L. 107-347, Title V) and the International Investment and Trade in Services Survey Act (Pub. L. 94-472, 22 United States Code (U.S.C.) 3101-3108) allow BEA and the Census Bureau to share certain business data for statistical purposes exclusively. Section 524(d) of the CIPSEA required a **Federal Register** notice announcing the intent to share data (allowing 60 days for public comment).

On July 7, 2003 (68 FR 40241), BEA published in the **Federal Register** a notice of this proposed data-sharing activity and request for comment on the subject. BEA did not receive any public comments.

Shared Data

BEA will provide the Census Bureau with data collected from the Benchmark Survey of Foreign Direct Investment in the United States—1997 and the Benchmark Survey of U.S. Direct Investment Abroad—1999. The Census Bureau also will share data from the 1997 and 1999 Surveys of Industrial Research and Development with BEA. The Census Bureau issued separate notices addressing this issue (68 FR 33094, June 2, 2003 and 68 FR 54201, September 16, 2003).

BEA will provide the Census Bureau with only those data items necessary to link records from the two benchmark surveys with records from the Census Bureau's Surveys of Industrial Research and Development. The Census Bureau will use these data for statistical purposes exclusively. Through record linkage, the Census Bureau will

augment its existing R&D-related data, identify data quality issues arising from reporting differences in the Census Bureau and BEA surveys, and improve its survey sample frames.

Statistical Purposes for the Shared Data

The data collected from the Benchmark Survey of Foreign Direct Investment in the United States—1997 and the Benchmark Survey of U.S. Direct Investment Abroad—1999 are used to estimate expenditures on research and development performed by U.S. affiliates of foreign companies and U.S. parent companies, R&D employment, and other statistics on the financial structure and operations of these companies. Statistics from the Benchmark Survey of Foreign Direct Investment in the United States—1997 were published in *Foreign Direct Investment in the United States: Final Results From the 1997 Benchmark Survey*; statistics from the Benchmark Survey of U.S. Direct Investment Abroad—1999 will be published in *U.S. Direct Investment Abroad: Final Results From the 1999 Benchmark Survey* (forthcoming). All data are collected under sections 3101–3108, of Title 22 U.S.C.

Data Access and Confidentiality

Title 22, U.S.C. 3104 protects the confidentiality of these data. These data may be seen only by persons sworn to uphold the confidentiality of the information. Access to the shared data will be restricted to specifically authorized personnel and will be provided for statistical purposes only. Any results of this research are subject to BEA disclosure protection. All Census Bureau employees with access to these data will become BEA Special Sworn Employees—meaning that they, under penalty of law, must uphold the data's confidentiality. Selected NSF employees will provide BEA with expertise on the aspects of R&D performance in the United States and by U.S. companies abroad; these NSF consultants assisting with the work at the BEA also will become BEA Special Sworn Employees. No confidential data will be provided to the NSF. To further safeguard the confidentiality of these data, BEA will conduct an Information Technology security review of the Census Bureau prior to the commencement of the project. Any results of this research are subject to BEA disclosure protection.

Dated: November 4, 2003.

J. Steven Landefeld,

Director, Bureau of Economic Analysis.

[FR Doc. 03–28612 Filed 11–17–03; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Action Affecting Export Privileges; Ralph Michel

In the Matter of: Ralph Michel, Vice President, Omega Engineering, Inc., One Omega Drive, Stamford, Connecticut 06907, Respondent.

Order

The Bureau of Industry and Security, United States Department of Commerce (“BIS”), having notified Ralph Michel of its intention to initiate an administrative proceeding against him pursuant to Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. §§ 2401–2420 (2000)) (“Act”),¹ and the Export Administration Regulations (currently codified at 15 CFR parts 730–774 (2003)) (“Regulations”),² based on allegations in a proposed charging letter issued to Ralph Michael that alleged that Ralph Michel committed six violations of the Regulations. Specifically, the charges are:

1. *Four Violations of § 764.2(a): Prohibited Conduct:* Ralph Michel made or caused to be made a series of exports of laboratory equipment, including shipments on or about June 25, 1997, July 3, 1997, July 11, 1997, and July 16, 1997, that were routed from Omega Engineering, Inc. (Omega) in the United States to Pakistan via Newport Electronics GmbH (Newport) in Germany. This laboratory equipment included load cells, load bolts, strain

¹ From August 21, 1994 through November 12, 2000, the Act was in lapse. During the period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706 (2000)) (“IEEPA”). On November 13, 2000, the Act was reauthorized and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp. 783 (2002)), as extended by the Notice of August 7, 2003 (68 FR 47833, August 11, 2003)), has continued the Regulations in effect under IEEPA.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2003). The current version of the Regulations govern the procedural aspects of this case. The charged violations occurred in 1997. The Regulations governing the charged violations are found in the 1997 version of the Code of Federal Regulations (15 CFR parts 730–774 (1997)).

gauges and related parts. By that means, Ralph Michel conducted or caused to be conducted the same export transaction for which the Department of Commerce had denied authorization in response to an export license application previously submitted by Omega. On or about April 9, 1997, the Department of Commerce denied export license application Z097230, which Omega had submitted for the export of certain laboratory equipment from the United States to Pakistan. Omega appealed this denial pursuant to Section 756.2 of the Regulations. On or about May 5, 1997, the Under Secretary of Commerce for Export Administration sustained the denial of the license application. In making or causing to be made the shipments on the dates specified above, Ralph Michel engaged in conduct prohibited by or contrary to the denial of export license application Z097230 and the Under Secretary's upholding of that denial, thereby committing four violations of Section 764.2(a) of the Regulations.

2. *One Violation of 15 CFR 764.2(e): Acting With Knowledge of a Violation:* In making or causing to be made the above-described exports, Ralph Michel acted with knowledge that such exports were prohibited by or contrary to the Department of Commerce's denial of Omega's export license application and the Under Secretary's sustaining of that denial, as described above. By selling and transferring the items described above with knowledge that such violation was about to occur and was intended to occur in connection with the items, Ralph Michel violated Section 764.2(e) of the Regulations.

3. *One Violation of 15 CFR 764.2(b): Causing False Statement Violations:* On or above June 25, July 3, July 11, and July 16, 1997, and in connection with each of the shipments described above, Omega, through an employee, submitted or caused to be submitted a Shipper's Export Declaration (SED). Ralph Michel knew that items ultimately destined for Pakistan were included in such shipments to Newport in Germany, and then were to be shipped from Germany to Pakistan. Each such SED falsely identified Newport as the ultimate consignee and Germany as the country of ultimate destination. It also stated that the export qualified for export pursuant to “NLR” (no license required), when in fact a license was required for this export, as the Department of Commerce had previously advised Omega. Ralph Michel knew of the applicable license requirement and of the actual ultimate destination and ultimate consignee, but