

## I. Export Trade

### A. Products

1. Fresh Apples: any variety of apples intended for human consumption including but not limited to: Red Delicious, Golden Delicious, Rome, Stayman, York, Winesap, Granny Smith, Jonathan, Red, Gala, Empire, McIntosh, Fuji, Ginger Gold, Braebur, and Cortland.

2. Processed Apples: Includes a variety of apple products used for human consumption; mainly, apple juice, apple cider, applesauce, and apple butter.

### B. Export Trade Facilitation Services (As They Relate to the Export of Products)

All export-related services, including, but not limited to, international market research, marketing, advertising, sales promotion, brokering, handling, transportation, common marking and identification, communication and processing of foreign orders to and for Members, financing, export licensing and other trade documentation, warehousing, shipping, legal assistance, foreign exchange and taking title to goods.

## II. Export Trade Activities and Methods of Operation

With respect to export trade activities, VAGA and/or one or more of its members may on behalf of and with the advice and assistance of its Members:

1. Participate in negotiations and enter into agreements with foreign buyers (including governments and private persons) regarding:

a. the quantities, time periods, prices, and terms and conditions in connection with actual or potential bona fide export opportunities

b. non-tariff trade barriers in the Export Markets;

2. Establish export prices and allocate export sales among its Members, in connection with actual or potential bona fide export opportunities;

3. Enter into agreements with non-Members, whether or not exclusive, to provide Export Trade Services and Trade Facilitation Services;

4. Negotiate and enter into agreements with providers of transportation services for the export of the Products;

5. Advise and cooperate with the United States and foreign governments in:

a. establishing procedures regulating the export of the Products

b. fulfilling the phytosanitary and/or funding requirements imposed by foreign governments for export of the Products;

6. Establish and operate fumigation facilities and administer phytosanitary protocols to qualify the Products for Export Markets;

7. Communicate and process export orders;

8. Conduct direct sales;

9. Broker or take title to Products acquired from non-Member producers whenever necessary to fulfill specific sales obligations;

10. Operate foreign sales and distribution offices and companies to facilitate the sales and distribution of the Products in the Export Markets;

11. Refuse to deal with or provide quotations to other Export Intermediaries for sales of the Members' Products into the Export Markets;

12. Retain the option for VAGA to be the exporter of record with regard to sales conducted by and through VAGA;

13. Develop internal operational procedures and disseminate information to Members to assist the membership in meeting the criteria necessary for exporting;

14. Receive and (each Member may) supply information as to each Member's actual or intended total export shipments of certified products in any previous or future growing season or seasons. VAGA, through employees or agents of VAGA who are not also employees of a Member, may receive and each Member may supply to such employees or agents of VAGA, information as to such Member's actual or intended total export shipments in any previous growing season or seasons, provided that such information is not disclosed by VAGA to any other Member;

15. Exchange information with and among the Members as necessary to carry out the Export Trade Facilitation Services, Export Trade Activities and Methods of Operation;

16. Provide Export Market entry and development assistance to its Members, including:

a. designing and executing foreign marketing strategies for VAGA's Export Markets

b. designing, developing, and marketing generic corporate labels

c. other related administrative and promotional services;

17. Solicit non-Members to become Members;

18. Recover administrative expenses and costs through fees and assessments allocated to each Member on a pro-rata share basis or any other non-discriminatory method (any Member objecting to the method of allocating expenses and costs will be charged based on actual expenses incurred);

19. Apply for and utilize export assistance and incentive programs, as

well as arrange financing through bank holding companies, governmental programs, and other arrangements; and

20. Bill and collect from foreign buyers and provide accounting, tax, legal, and consulting assistance and services.

## III. Export Markets

The Export Markets include all parts of the world except the United States, (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

### Definition

"Export Intermediary" means a person who acts as distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

Dated: January 16, 2003.

**Vanessa Bachman,**

*Acting Director, Office of Export Trading, Company Affairs.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**AGENCY:** Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration (NOAA), DOC.

**ACTION:** Notice of intent to evaluate.

**SUMMARY:** The NOAA Office of Ocean and Coastal Resource Management (OCRM) announces its intent to evaluate the performance of the North Carolina Coastal Management Program and the Connecticut Coastal Management Program.

These Coastal Zone Management Program evaluations will be conducted pursuant to section 312 of the Coastal Zone Management Act of 1972 (CZMA), as amended and regulations at 15 CFR part 923, subpart L.

The CZMA requires continuing review of the performance of states with respect to coastal program implementation. Evaluation of Coastal Zone Management Programs requires findings concerning the extent to which a state has met the national objectives, adhered to its Coastal Management Program document approved by the

Secretary of Commerce, and adhered to the terms of financial assistance awards funded under the CZMA.

The evaluation will include a site visit, consideration of public comments, and consultations with interested Federal, State, and local agencies and members of the public. Public meetings will be held as part of the site visit.

Notice is hereby given of the dates of the site visits for these evaluations, and the dates, local times, and locations of the public meetings during the site visit.

The North Carolina Coastal Management Program evaluation site visit will be held March 10–14, 2003. Three public meetings will be held during the week. The public meetings will be: On Monday, March 10, 2003, at 6 p.m., at the North Carolina Department of Environment and Natural Resources/Wilmington Regional Office, Conference Room, 127 Cardinal Drive Ext., Wilmington, North Carolina; on Tuesday, March 11, 2003, at 6 p.m., at the Carteret County Courthouse, District Courtroom, Courthouse Square, Beaufort, North Carolina; and Wednesday, March 12, 2003, at 6 p.m., at Manteo Town Hall, Board of Commissioners Meeting Room, 407 Budleigh Street, Manteo, North Carolina.

The Connecticut Coastal Management Program evaluation site visit will be held March 31–April 4, 2003. One public meeting will be held during the week. The public meeting will be held on Wednesday, April 2, 2003, at 7 p.m., at the Department of Environmental Protection Marine Headquarters, Training Room, Building #3, 333 Ferry Road, Old Lyme, Connecticut.

Copies of North Carolina's and Connecticut's most recent performance reports, as well as OCRM's notification and supplemental request letters to the states, are available upon request from OCRM. Written comments from interested parties regarding these Programs are encouraged and will be accepted until 15 days after the last public meeting. Please direct written comments to Ralph Cantral, Chief, National Policy and Evaluation Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-West Highway, 10th floor, Silver Spring, Maryland 20910. When each evaluation is completed, OCRM will place a notice in the **Federal Register** announcing the availability of the final evaluation findings.

**FOR FURTHER INFORMATION CONTACT:** Ralph Cantral, Chief, National Policy and Evaluation Division, Office of Ocean and Coastal Resource Management, NOS/NOAA, 1305 East-

West Highway, Silver Spring, Maryland 20910, (301) 713–3155, Extension 118.

Federal Domestic Assistance Catalog 11.419, Coastal Zone Management Program Administration

Dated: January 14, 2003.

**Alan Neuschatz,**

Chief Financial Officer/Chief, Administrative Officer for Ocean Services and Coastal Zone Management.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 001214351–3009–04]

#### Dr. Nancy Foster Scholarship Program; Financial Assistance for Graduate Students

**AGENCY:** National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), U.S. Department of Commerce.

**ACTION:** Notice.

**SUMMARY:** The National Oceanic and Atmospheric Administration (NOAA) is announcing funding availability for graduate students pursuing masters or doctoral level degrees in oceanography, marine biology, or maritime archaeology through the Dr. Nancy Foster Scholarship Program and is inviting applications for such scholarships. The intent of this program is to recognize outstanding scholarship and encourage independent graduate level research in the above mentioned fields.

**DATES:** Applications must be received by March 10, 2003 no later than 5 p.m. Eastern Standard Time. Scholarship awards will be announced in July 2003.

**ADDRESSES:** Applications should be sent to the Dr. Nancy Foster Scholarship Program, Attention: Office of the Assistant Administrator, 13th Floor, National Ocean Service, 1305 East-West Highway, Silver Spring, MD 20910. Information on the scholarship program may be obtained from the Web site: <http://fosterscholars.noaa.gov>

**FOR FURTHER INFORMATION CONTACT:** Dr. Nancy Foster Scholarship Program, Office of the Assistant Administrator, 13th Floor, National Ocean Service, 1305 East-West Highway, Silver Spring, MD 20910 (301–713–3074).

#### SUPPLEMENTARY INFORMATION:

*Authority:* The Dr. Nancy Foster Scholarship Program is authorized at 16 U.S.C. 1445c–1 to recognize outstanding scholarship in oceanography, marine biology, or maritime archaeology,

particularly by women and members of minority groups, and encourage independent graduate-level research through financial support of graduate studies in such fields.

*Catalog of Federal Domestic Assistance:* This program is listed under CFDA #11.460, titled Special Oceanic and Atmospheric Projects.

*Program Description:* The Dr. Nancy Foster Scholarship Program provides support for independent graduate-level studies in oceanography, marine biology, or maritime archaeology, particularly by women and members of minority groups. Gender and minority status is not considered when selecting award recipients. However, special outreach efforts are employed to solicit applications from women and minorities. Scholarship selections are based on financial need, academic excellence, recommendations, and research and career goals. The program is administered through NOAA's National Ocean Service and is funded annually with 1% of the amount appropriated each fiscal year to carry out the National Marine Sanctuaries Act.

*Funding Availability:* For the 2003–2004 academic year, Dr. Nancy Foster Scholarships may provide, subject to appropriations, support of up to \$32,000 per student: a 12-month stipend of \$20,000 in addition to a tuition allowance of up to \$12,000. A maximum of \$64,000 may be provided to masters students (up to two years of support) and up to \$128,000 may be provided to doctoral students (up to four years of support). For the 2003–2004 academic year, NOAA expects to award up to five scholarships.

The annual stipend will be paid directly to the scholar. The stipend is intended to defray cost-of-living expenses, and not to support research costs. NOAA anticipates the student and their faculty advisor will secure research funds independent of the scholarship. Tuition and academic fees will be negotiated between the academic institution and the Dr. Nancy Foster Scholarship program manager at NOAA prior to the receipt of funds. This negotiation is intended to leverage scholarship funds and enhance opportunities for scholarship recipients. In those instances in which tuition and academic fees are not totally waived by the academic institution, the tuition allowance in an amount equal to the tuition and fees not waived (but not to exceed \$12,000) will be paid directly to the scholar for remittance to the academic institution. If tuition and fees are reduced or waived by the academic institution, then that portion of the