

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Del Norte County Resource Advisory Committee

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** The Del Norte County Resource Advisory Committee (RAC) will meet on December 3, 2002 in Crescent City, California. The purpose of the meeting is to discuss the selection of Title II projects under Pub. L. 106-393, H.R. 2389, the Secure Rural Schools and Community Self-Determination Act of 2000, also called the "Payments to States" Act.

**DATES:** The meeting will be held at the Del Norte County Unified School District Board Room, 301 West Washington Boulevard, Crescent City, California.

#### FOR FURTHER INFORMATION CONTACT:

Laura Chapman, Committee Coordinator, USDA, Six Rivers National Forest, 1330 Bayshore Way, Eureka, CA 95501. Phone: (707) 441-3549. E-mail: [lchapman@fs.fed.us](mailto:lchapman@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** Agenda items include presentations on Title II projects from project proponents, and a discussion of legacy Title II projects. The meeting is open to the public. Public input opportunity will be provided and individuals will have the opportunity to address the committee at that time.

Dated: November 8, 2002.

**S.E. 'Lou' Woltering,**

*Forest Supervisor.*

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**BILLING CODE 3410-11-M**

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

DoC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* Minority Business Development Agency.

*Title:* Performance Database (formerly the Business Development Report (BDR) System), Phoenix (formerly Automated Business Enterprise Locator System (ABELS)) and the Opportunity Database Systems.

*Agency Form Number:* None.

*OMB Approval Number:* Formerly 0640-0002.

*Type of Request:* Revision, with change, of a previously approved collection for which approval has expired.

*Burden:* 50, 1050 and 1,570 hours annually, respectively.

*Number of Respondents:* 50, 1,050 and 1,570, respectively.

*Avg. Hours per Response:* 3-15 minutes.

*Needs and Uses:* The purpose of the Performance, Phoenix and Opportunity databases is to provide an electronic system for (1) entering the accomplishments (Performance) of MBDA's funded organizations, (2) entering minority-owned businesses doing business in the United States (Phoenix), and matching contract opportunities with eligible minority companies listed in the Phoenix database (Opportunity).

Specific uses of the on-line Performance Database include:

The documentation of actual performance accomplishments of each funded organization compared with stated goals in its cooperative agreement with MBDA. The Performance database permits tracking of each funded organization's goals using a number of general and specific variables. The flexibility of the database permits new variables to be added as needed.

The verification of the summary performance accomplishments cited in narrative reports. Based on the results, performance data and other qualitative information obtained during MBDA quarterly monitoring

will determine whether a specific cooperative agreement should be terminated or other actions are needed to improve performance.

The advantage of daily tracking of performance is that it will enable managers not only to terminate non-performing funded organizations but, more importantly, to address performance problems early in their development.

Identifies minority business clients receiving Agency-sponsored business development services in the form of management and technical assistance, the kind of assistance each receives, and the impact of that assistance on the growth and profitability of the client firms.

The preparation of special reports analyzing program activities and services by business types, industry trends, business starts, geographic profiles, successful capital and marketing opportunities, and other program elements.

The system permits client identification using a unique computer-assigned identifier for each funded organization. This identification is related to all client data fields. Number of clients assisted, types of assistance, number of hours of assistance, dollar amounts of loans, bonds and contracts, as well as a number of other variables are available for analysis on each client and funded organization.

MBDA requires this information to monitor, evaluate, and plan Agency programs which effectively enhance the development of the minority business sector.

Using information collected, MBDA produces *ad hoc* and recurring reports on its funded organizations, client services activities and accomplishments. Because MBDA's major funded activity is client service, the reports generated are a primary agency reporting and planning mechanism.

The purpose of this collection will be to establish a framework for assessing and evaluating projects' performance.

The Phoenix database constitutes the Minority Business Development Agency's (MBDA) listing of minority-owned businesses doing business in the United States. The Opportunity database contains public and private

contract and other opportunities. The system matches contract opportunities with eligible minority companies listed in the Phoenix database. The information entered in the Phoenix database will be used to assist minority enterprises with marketing of goods and services.

The purpose for collecting this information is to enable entities with an interest in contracting with a minority firm to identify potential minority contractors according to various criteria. MBDA uses the Phoenix database in conjunction with the Opportunity database to refer listed minority companies contracts and other business opportunities via email and fax. The Opportunity database matches contract opportunities with eligible minority companies listed in the Phoenix database. Specific information on the Opportunity form, such as "key words" and NAICS codes, are compared with like information contained in the Phoenix database of minority companies. When a match is made, the eligible minority companies will be notified of any contract opportunity and the offeror of the opportunity will be notified of any eligible minority companies. These systems reside on Y2K (year 2000) compliant platforms connected to the service-provider network via the Internet.

*Affective Public:* Individuals, businesses or other for-profit and not-for-profit institutions.

*Frequency:* Annually.

*Respondents Obligation:* Voluntary.

*OMB Desk Officer:* Mr. David Rostker (202) 395-3895.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-3129, U.S. Department of Commerce, Electronic Government Division, Office of the Chief Information Officer, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Dave Rostker at OMB.

Dated: November 5, 2002.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 02-29202 Filed 11-15-02; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[Case No. 02-BXA-07]

#### Action Affecting Export Privileges; Oerlikon Schweisstechnik AG

##### Order

The Bureau of Industry and Security, United States Department of Commerce ("BIS"), has notified Oerlikon Schweisstechnik AG (also known in Switzerland as Oerlikon-Welding Ltd.) ("Oerlikon"), of its intention to initiate an administrative proceeding against it pursuant to Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (1994 & Supp. V 1999)) ("Act"),<sup>1</sup> and the Export Administration Regulations (currently codified at 15 CFR parts 730-774 (2002)) ("Regulations"),<sup>2</sup> based on allegations in a charging letter issued to Oerlikon that alleged that Oerlikon committed three violations of the Regulations. Specifically, the charges are that Oerlikon violated Sections 764.2(c), 764.2(d), and 764.2(e) of the Regulations by soliciting the export of cellulose from the U.S. to Iran and conspiring to export cellulose from the U.S. to Iran without the required authorization from the Office of Foreign Assets Control, Department of the Treasury, as required by the Regulations, and taking an action that Oerlikon knew to be a violation of the Regulations.

BIS and Oerlikon having entered into a Settlement Agreement pursuant to Section 766.18(b) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and the terms of the Settlement Agreement having been approved by me;

<sup>1</sup> From August 21, 1994 through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was issued on 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 (1994 & Supp. V 1999)) (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 14, 2002 (67 FR 53721 (August 16, 2002)), has continued the Regulations in effect under IEEPA.

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2002). The violations charged occurred in 2000. The Regulations governing the violations are codified at 15 CFR parts 730-774 (2000). They are substantially the same as the 2002 version of the Regulations which govern the procedural aspects of this case.

##### *It is therefore ordered:*

First, that, for a period of one year from the date of this Order, Oerlikon Schweisstechnik AG (also known in Switzerland as Oerlikon-Welding Ltd.), Neumbrunnerstrasse 50, CH-8050 Zurich, Switzerland, shall be denied its U.S. export privileges as described herein (hereinafter the "denial period"). Oerlikon, and all of its successors, assigns, officers, representatives, agents, and employees, may not participate, directly or indirectly, in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity 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 EAR, or in any other activity subject to the EAR; or

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

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

A. Export or reexport to or on behalf of a person subject to this order any item subject to the EAR;

B. Take any action that facilitates the acquisition or attempted acquisition by a person subject to this order of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a person subject to this order 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 a person subject to this order of any item subject to the EAR that has been exported from the United States;

D. Obtain from a person subject to this order in the United States any items subject to the EAR 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 EAR that has