

# Notices

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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

### Agricultural Marketing Service

[Docket No. ST-99-005]

#### Notice of Request for Extension and Revision of a Currently Approved Information Collection

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the Agricultural Marketing Service's (AMS) intention to request an extension for and revision to a currently approved information collection in support of the Regulations Governing the Plant Variety Protection Act.

**DATES:** Comments on this notice must be received by October 18, 1999.

**FOR FURTHER INFORMATION CONTACT:** Ann Marie Thro, Commissioner, Plant Variety Protection Office, Science & Technology, AMS, USDA, NAL Building, Room 500, 10301 Baltimore Boulevard, Beltsville, MD 20705-2351, (301) 504-5518, or Fax: (301) 504-5291.

#### SUPPLEMENTARY INFORMATION:

**Title:** Regulations Governing the Application for Plant Variety Protection Certificate and Reporting Requirements under the Plant Variety Protection Act.

**OMB Number:** 0581-0055.

**Expiration Date of Approval:** February 28, 2000.

**Type of Request:** Extension and revision of a currently approved information collection.

**Abstract:** The Plant Variety Protection Act ("PVPA") (7 U.S.C. 2321 *et seq.*) was established "To encourage the development of novel varieties of sexually reproduced plants and make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby

promote progress in agriculture in the public interest."

The PVPA is a voluntary user funded program which grants intellectual property rights protection to breeders of new, distinct, uniform, and stable seed reproduced and tuber propagated plant varieties. To obtain these rights the applicant must provide information which shows the variety is eligible for protection and that it is indeed new, distinct, uniform, and stable as the law requires. Application forms, descriptive forms, and ownership forms are furnished to applicants to identify the information which is required to be furnished by the applicant in order to legally issue a certificate of protection (ownership). The certificate is based on claims of the breeder and cannot be issued on the basis of reports in publications not submitted by the applicant. Regulations implementing the PVPA appear at 7 CFR part 92.

Form ST-470, Application for Plant Variety Protection Certificate, Form ST-470 series, Objective Description of Variety (Exhibit C to Form ST-470P), and Form ST-470-E, Statement of the Basis of Applicant's Ownership, are the basis by which the determination, by experts in the Plant Variety Protection Office (PVPO), is made as to whether a new, distinct, uniform, and stable seed reproduced or tuber-propagated variety in fact exists and is entitled to protection.

The application form would be revised slightly to clarify that applicants may specify not only that the variety be sold only as a class of certified seed (Foundation, Registered, or Certified) but that the applicant may specify a limitation on the number of generations within each class. The information received on applications, with certain exceptions, is required by law to remain confidential until the certificate is issued (7 U.S.C. 2426).

The information collection requirements in this request are essential to carry out the intent of the PVPA, to provide applicants with certificates of protection, to provide the respondents the type of service they request, and to administer the program. **Estimate of Burden:** Public reporting burden for this collection of information is estimated to average 4 hours per response.

**Respondents:** Businesses or other for-profit, not-for-profit institutions, and Federal Government.

**Estimated Number of Respondents:** 116.

**Estimated Number of Responses per Respondent:** 3.49.

**Estimated Total Annual Burden on Respondents:** 1691 hours.

Copies of this information collection can be obtained from Lashawn Smith, Plant Variety Protection Office, at (301) 504-5518.

Comments are invited on: (a) Whether the collection of the 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 of the proposed collection of information including the validity of the methodology and assumptions used; (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 those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments should reference OMB No. 0581-0055 and be sent to: Ann Marie Thro, Commissioner, Plant Variety Protection Office, Science & Technology, AMS, USDA, NAL Building, Room 500, 10301 Baltimore Boulevard, Beltsville, MD 20705-2351. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Dated: August 11, 1999.

**William J. Franks, Jr.,**

*Deputy Administrator, Science and Technology.*

[FR Doc. 99-21302 Filed 8-16-99; 8:45 am]

BILLING CODE 3410-02-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Stewardship Contracting Pilot Projects: Multiparty Monitoring and Evaluation Process

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** Section 347 of the FY 1999 Omnibus Appropriations Act authorizes the Forest Service to enter into 28 stewardship end results contracts. These contracts are intended to provide a means for pilot-testing an array of potential new authorities for giving national forest managers greater administrative flexibility to improve forest conditions and potentially help meet the needs of local communities. One of the key provisions of the statute, embodied in subsection (g) of the Act, is a provision requiring the establishment of a process for multiparty monitoring and evaluation of the stewardship contracts. The Forest Service hereby gives notice that a draft framework for multiparty monitoring and evaluation has been developed and is now available for public review and comment.

**DATES:** Comments must be received, in writing, on or before September 16, 1999.

**ADDRESSES:** Written comments on this proposal may be sent to Cliff Hickman, USDA Forest Service, Forest Management Staff, Mail Stop 1105, P.O. Box 96090, Washington, D.C. 20090-6090 or electronically to [chickman/wo@fs.fed.us](mailto:chickman/wo@fs.fed.us).

**FOR FURTHER INFORMATION CONTACT:** Cliff Hickman, Forest Management Staff, (202) 205-1162, or [chickman/wo@fs.fed.us](mailto:chickman/wo@fs.fed.us). Electronic copies of the Act, and of this proposed framework for multiparty monitoring and evaluation, may be obtained via the INTERNET at [www.fs.fed.us/land/fm/stewardship](http://www.fs.fed.us/land/fm/stewardship).

**SUPPLEMENTARY INFORMATION:** Section 347 of the FY 1999 Omnibus Appropriations Act (Act) authorizes the Forest Service to implement up to 28 stewardship end results contracts. The Forest Service provided background information about the provisions of Section 347 and its progress in implementing the legislation, in a notice that appeared in the July 9, 1999, issue of the **Federal Register** (64 FR 37096). That notice identified the stewardship pilot projects that the agency had already selected. This notice sets out the proposed framework and requests public comment. A notice summarizing the public comment and the agency's response to that comment will be published along with the finalized framework.

The framework that the agency proposes to use to comply with the requirements of subsection (g) of Section 347 of the Act consists of two parts: (1) A process for securing multiparty monitoring and evaluation, and (2) a set of criteria to be considered during monitoring and evaluation.

Besides ensuring proper documentation of any treatments and their resulting environmental effects, the proposed framework is intended to provide an objective basis for assessing the implications of the stewardship pilots regarding the following:

(1) The potential advantages of greater collaboration during period planning and implementation;

(2) The potential for new authorities to facilitate efficient implementation of desired ecosystem restoration, maintenance, or protection activities; and

(3) The potential of stewardship contracting to help meet the needs of local communities.

This proposed framework represents only one option for satisfying the multiparty monitoring and evaluation requirement of the Act. It is designed to comply with the provisions of the Federal Advisory Committee Act (FACA). The proposed framework is being developed to facilitate the data inventory required by Section 347 of the Act and is not a public information survey. Comments and suggestions on this proposal and on other ways to accomplish multiparty monitoring and evaluation, that would be in compliance with FACA requirements, are requested.

#### **Proposed Process**

At the national level, a single Advisory Committee will be established under the provisions of the Federal Advisory Committee Act (FACA). The framework proposes establishing two types of teams at the local (project) level: (1) Data Inventory teams, and (2) Assessment and Evaluation Teams. Due to the composition, duties, and purpose of these teams, FACA chartering is not required. Additional details concerning the structure and functions of these proposed groups are provided below:

**Local Data Inventory Teams.** Each forest with a stewardship pilot project will be responsible for organizing a team of interested publics to gather the data needed to assess project and program results. These teams will operate under the direction of a Forest Service employee who will encourage participation of all team members, develop monitoring methods, schedule team assignments, compile and validate the team's data, and interact, as needed, with the appropriate Assessment and Evaluation Team. Where a Forest has more than one pilot project, separate Data Inventory teams will be established to compile the relevant data for each project.

As the name suggests, the principal function of the Data Inventory teams will be to gather project (local) level

data for analysis by the appropriate Assessment and Evaluation Team. The criteria that the Data Inventory teams will be required to consider are described under the subheading "Criteria for Local Data Inventory Teams." Once validated, the facts gathered by the Data Inventory teams will be made available for public review and use.

The Data Inventory teams will be free to compile facts and other evidence deemed relevant by the responsible Assessment and Evaluation Team, but any additional data must be factual rather than interpretive data. Limiting the role of these teams to the compilation of factual evidence eliminates the need to establish a FACA committee. Participation on the teams will be open to all interested parties.

**Local Monitoring Assessment and Evaluation Team.** Each forest with a stewardship pilot project will be responsible for organizing a team of government employees, federal, state, local, or tribal. This Monitoring Assessment and Evaluation Team's tasks are to assess and evaluate the data compiled by the corresponding Data Inventory Team and, also, to formulate appropriate recommendations. The Assessment and Evaluation Teams will operate under the direction of a Forest Service employee, serving as chairperson. A non-Forest Service person will be selected as the vice-chairperson of the committee. If other governmental entities are unavailable or unwilling to participate in the evaluation process, a Forest Service team will be organized. Where a forest has more than one stewardship pilot, only one Assessment and Evaluation Team will be established to deal with all the projects on that forest.

As already suggested, a key function of the Assessment and Evaluation Teams will be to analyze and weigh the significance of the factual evidence compiled by the Data Inventory Teams. The criteria that the Assessment and Evaluation Teams will be required to consider are described under the subheading "Criteria for Local Assessment and Evaluation Teams." These teams, at their discretion, will be free to develop other site-specific criteria that they deem relevant—e.g., additional criteria pertaining to forest conditions before and after treatment, effects on the local economy, and relations between and among community members, including the Forest Service. Finally, the Assessment and Evaluation Teams will be free to interact with the Data Inventory Teams and the National Advisory Committee, as needed.

The Assessment and Evaluation Teams will be responsible for making judgments, reaching conclusions, and formulating recommendations on the basis of the data assimilated. Because the teams, as envisioned in this proposal, will be comprised of government employees only, they qualify for the FACA requirement exemption, authorized by Section 204 of the Unfunded Mandates Act of 1995. Section 204 provides for the formation of intergovernmental committees to exchange official views concerning the implementation or administration of intergovernmental responsibilities.

A second key function of the local Assessment and Evaluation teams will be to prepare annual reports to the National Advisory Committee. Annual reports will be submitted to the National Advisory Committee within 60 days of the close of each fiscal year. In situations where a forest has more than one stewardship pilot, each project will be analyzed, evaluated, and discussed in a separate report.

The local Assessment and Evaluation Team reports will include the descriptive data that has been compiled by the local Data Inventory Teams, the responses to the criteria described under the subheading "Criteria for Local Assessment and Evaluation Teams," and any other issues that the teams determine to be relevant.

The Assessment and Evaluation Teams will actively seek input from the public. Therefore, they will open their meetings to the public and give adequate notice of the times and locations of their meetings. Draft annual evaluation results will be shared with the public for comment by posting a notice of availability of the results in the local newspapers, posting the results on each forest's INTERNET website (if available), and by holding one or more public meetings. Public comments will be considered in preparing the annual reports to the National Advisory Committee. All public comments will be retained in the monitoring and evaluation file for each project.

**National Advisory Committee.** A FACA advisory committee will be chartered to monitor and evaluate the stewardship pilot program at the national level. The Forest Service will recommend potential National Advisory Committee members to the Office of the Secretary of USDA. Committee representation will reflect the need to represent all communities of interest and to ensure that there is balance in the views represented. To ensure a connection to the projects at the local level, at least two Committee members will be people serving on local

monitoring and evaluation teams. This arrangement will help ensure that the broad array of criteria considered and the resulting recommendations present an accurate, coherent picture of what the section 347 stewardship pilots have actually accomplished and demonstrated. Notices concerning the National Advisory Committee's establishment, its membership, and meeting information will be published in the **Federal Register**. The Forest Service will provide organizational support to the National Committee.

The National Advisory Committee will be responsible for obtaining the information it needs from the local monitoring and evaluation teams and will interact with these teams as needed to discharge its duties. The Committee, at a minimum, will consider the criteria described under the subheading "Criteria for the National Advisory Committee." These criteria focus on national issues, such as, whether national forest policies and priorities were advanced by the new authorities (processes and procedures) being tested, whether the interests of non-local publics were adequately considered, and whether agency accountability for actions and outcomes was appropriately maintained. The National Committee will also identify and evaluate the important "lessons learned" from the stewardship pilots; they will assess what worked well and what did not work well. As part of this process, they will describe any barriers that had to be overcome or that prevented smooth implementation of the pilot projects.

The National Advisory Committee will be responsible for preparing annual reports to the Forest Service's Washington Office Forest Management Staff. The Committee's reports will form the basis for the Forest Service's required annual reports to Congress.

The Committee's annual reports are to be completed within 60 days of its receiving the reports from the local Assessment and Evaluation Teams. These reports will contain a compilation of descriptive data pertaining to such things as: the acreages treated for different purposes; the costs incurred; the sources of project funding; the types of products produced; the revenues generated; the types of collaborators involved in project planning, implementation, and monitoring; the roles played by different collaborators; and the processes and procedures that were tested. The reports also will address the information requested by Congress, the criteria listed under the subheading "Criteria for National Advisory Committee," and any other

issues that the National Committee determines to be important.

**Other Process Principles.** Other principles guiding the monitoring and evaluation process include the following:

- \* All monitoring and evaluation teams will be structured so as to encompass a diverse mix of resource management skills.

- \* As needed and as is reasonable, the Forest Service will compensate monitoring and evaluation team members for any travel costs that they incur as a result of their service to the agency.

- \* All monitoring and evaluation team members will be encouraged to network with their constituents and bring new information and issues forward.

- \* Whenever possible, pilots will be designed to include two types of controls: (1) areas where no vegetative treatment is occurring, and (2) areas where standard timber sale and/or service contracting procedures are being observed.

#### **Proposed Criteria**

To measure whether the new authorities have achieved the desired results, four categories of criteria will be considered by the different monitoring and evaluation (ME) groups. These categories are: (1) Biophysical criteria, (2) economic criteria, (3) social criteria, and (4) administrative criteria.

Within each category, some of the criteria call for compiling numerical or descriptive data, while other criteria require that some aspect of a pilot project's performance be assessed. As noted earlier, to assure compliance with FACA requirements, the local Data Inventory Teams will consider only the criteria calling for numerical or descriptive responses. Within this constraint, and recognizing that there may be certain questions that may be relevant in some, but not all, situations, it is proposed that all teams be free to entertain questions beyond those listed. In all instances, however, the criteria that are listed, as a minimum, would be addressed by the designated groups. In addition to addressing the criteria set forth, the local Data Inventory Teams will be encouraged to establish photo points that will record the condition of the landscape, before, during, and after project implementation.

**Criteria for the Local Data Inventory Teams.** The local Data Inventory Teams will answer, at a minimum, the 16 criteria listed in this section. Additional criteria may be added, but they must be of an objective, factual nature.

Biophysical Criteria will include:

(1) The stated purpose and need for the project.

(2) The project objectives.

(3) The land management treatments being applied. All treatments applied in connection with a particular area are to be considered, including: the mileage of road maintained or obliterated; the mileage of trails maintained or obliterated; the acreage of soil and water improvement; the acreage of terrestrial habitat restored or enhanced; the mileage of stream habitat restored or enhanced; the acreage of fuels management by mechanical means and/or prescribed burning; the acreage treated to decrease insect, disease, or fire risks, and/or to enhance forest health; and the acreage of noxious and/or exotic weed control. For each treatment that is applied, the local Data Inventory teams will gather data on the accomplishments realized to date using regular appropriations, the exchange of goods for services, or retained receipts.

Economic Criteria will include:

(4) The total project costs, and the breakdown of these costs into the following categories: formal project planning and NEPA (including citizen/public involvement in the process); sale/contract preparation; sale/contract administration; citizen involvement (during project implementation); monitoring, evaluation & reporting (including citizen involvement in this process); and other (to be specified).

(5) The funding of project implementation, and the breakdown of this funding into the following categories: exchange of goods for services; retained receipts; regular appropriations; cooperator contributions (cash); cooperator contributions (materials or in-kind services); and other funding sources (to be specified). For appropriated funds, the local Data Inventory teams will show the amounts provided from each of the Forest Service's recognized fund codes.

(6) The types and amounts of forest products produced, including: sawtimber; pulpwood; posts and poles; and different types of special forest products (ferns, pine boughs, pine straw, mushrooms, etc.). In all instances, product amounts will be expressed in terms of commonly recognized units.

(7) The total project receipts, and the proportion of these receipts attributable to: timber products; special forest products; and other products (to be specified).

(8) The disposition of the project receipts, showing the amounts: returned to Treasury; exchanged for services; retained and reinvested; or distributed in some other manner (to be specified).

(9) The manner in which the pilot changed employment or entrepreneurial opportunities in the local community.

(10) The special skills required of a contractor for the project.

(11) The difficulties encountered in hiring contractors with the needed skills.

(12) The average wage paid in connection with the project and whether this wage rate represented woods a worker, service contract, or Davis-Bacon wage rate.

(13) The duration of the contract for this project and whether the contract period was longer or shorter than what is common with conventional timber sale or service contract projects.

Social Criteria will include:

(14) The individuals and/or groups (other than the Forest Service) who collaborated in planning, implementing, or monitoring the project, and the manner in which they were selected.

(15) The roles that each collaborator performed.

Administrative Criteria will include:

(16) The new processes and/or procedures that were used in connection with the project. The possibilities to be considered include: awarding of contracts on a "best value" basis (specify how "best value" was determined); designation by prescription; end results contracting; exchange of goods for services; retention of receipts; use of an appraisal method other than standard procedures (method to be specified); offering sales (appraised value of over \$10,000) without advertisement; using state foresters as federal agents; using service contracts of over 5 years duration; using contract logging with subsequent sale of the cut products; or using some other new process or procedure (to be specified).

*Criteria for the Local Assessment and Evaluation Teams.* The local Assessment and Evaluation teams will use the evidence compiled by the local Data Inventory teams to, as a minimum, address the 14 criteria that follow. The Assessment and Evaluation teams may consider any additional criteria that they deem relevant.

Biophysical Criteria will include:

(1) An assessment as to whether the stated purposes and needs for the project were fulfilled and the basis for the conclusion.

(2) An assessment as to whether the resource management objectives of the project were realized and an explanation for the conclusion.

(3) An assessment as to whether the Forest Service was able to do a better job of ecosystem management by giving a single contractor the responsibility for a

"bundled group" of resource work activities (e.g., timber extraction, watershed restoration, habitat improvement, and road obliteration) on the project area and an explanation of the conclusion.

Economic Criteria will include:

(4) An assessment as to whether employment opportunities for local communities were enhanced as a result of the project and the basis for the conclusion.

(5) An assessment as to whether the prevailing wage rate in the local community was enhanced as a result of the project and the basis for the conclusion.

Social Criteria will include:

(6) An assessment as to whether the dynamics of the collaborative process permitted all interested parties to participate and the basis for the conclusion.

(7) An assessment as to whether and how collaboration facilitated planning, implementing, and monitoring for the project.

Administrative Criteria will include:

(8) An assessment as to whether difficulties were experienced in interpreting or implementing the Section 347 authorities.

(9) An assessment as to whether the project planning and implementation timelines were being met and what contributed to that outcome.

(10) An assessment as to how the new processes and/or procedures that were tested in this project compare to the Forest Service's conventional timber sale or service contract authorities. As appropriate, in making that determination, the teams will consider the following performance variable: attractiveness to potential bidders; fairness to potential bidders; implications for the Forest Service's ability to maintain accountability for the treatments being applied and the forest products being removed; implications for the Forest Service's ability to implement ecosystem management projects efficiently and effectively; implications for the Forest Service's ability to successfully manage small diameter, under-utilized material; the ease of administration; the agency's ability to help meet the needs of rural, resource dependent communities; and their performance with regard to any other indicators deemed to be relevant.

(11) An assessment as to how useful the new, tested authorities were overall and the team's recommendations for applying the authorities more broadly.

(12) An assessment as to what other legislative, regulatory, or administrative changes would have helped make the project more effective.

(13) An assessment as to what type of contractual non-compliance problems occurred, if any, and how expeditiously they were resolved.

(14) A recommendation as to what should be done differently on another pilot project.

**Criteria for the National Advisory Committee.** The National Advisory Committee will be required to address the following nine criteria. Some of the criteria are the same as those asked at the local level. Where this is the case, the duplication is deliberate and reflects the belief that these criteria have relevancy at both levels. The national team members, like their local counterparts, will be free to address other criteria that they deem to be relevant; however, it is worth noting that their ability to do so may be constrained by the nature of the data compiled locally.

**Biophysical Criteria** will include: Based on the collective experience of the pilot projects;

(1) A determination as to whether the stated purposes and needs for the projects were fulfilled and an explanation for the conclusion.

(2) A determination as to whether the resource management objectives of the projects were realized and the basis for the conclusion.

(3) An assessment as to whether the Forest Service was able to do a better job of ecosystem management by giving a single contractor the responsibility for a "bundled group" of resource work activities (e.g., timber extraction, watershed restoration, habitat improvement, and road obliteration) on the project area and an explanation for the conclusion.

**Economic Criteria** will include: Based on the collective experience of the pilots:

(4) A determination as to whether any of the new processes and procedures that were tested appear to represent effective ways to create new or enhance existing employment or entrepreneurial opportunities in local communities.

(5) A determination of what administrative costs were incurred at the regional and national levels in order to carry out the stewardship pilots.

**Social Criteria** will include: Based on the collective experience of the pilots:

(6) An assessment as to what steps were taken to ensure that regional and/or national publics were not excluded or placed at a disadvantage in the collaborative process, and a determination of whether the steps taken were effective.

(7) A determination as to the potential for stewardship contracting to improve the quality of life within local resource-

dependent communities (jobs, environmental conditions, economic infrastructure, etc.).

**Administrative Criteria** will include: Based on the collective experience of the pilots:

(8) An assessment as to what difficulties were experienced in interpreting or implementing the Section 347 authorities.

(9) An assessment as to how the new processes and/or procedures that were tested compare to the Forest Service's conventional timber sale or service contract authorities. As appropriate, in making these determinations, the committee will consider the following performance variables: attractiveness to potential bidders; fairness to potential bidders; implications for the Forest Service's ability to maintain accountability for the treatments being applied and the forest products being removed; implications for the Forest Service's ability to implement ecosystem management projects efficiently and effectively; implications for the Forest Service's ability to successfully manage small diameter, under-utilized material; ease of administration; ability to help meet the needs of rural, resource dependent communities; and any other indicators deemed to be relevant.

Lastly, the National Advisory Committee will make a recommendation for which of the new authorities that were tested appear to warrant broader application on a permanent basis.

Dated: August 10, 1999.

**Phil Janik,**  
*Acting Chief.*

[FR Doc. 99-21247 Filed 8-16-99; 8:45 am]  
BILLING CODE 3410-11-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of initiation of process to revoke export trade certificate of review No. 88-00011.

**SUMMARY:** The Secretary of Commerce issued an export trade certificate of review to Abdullah Diversified Marketing, Inc. ("ADMI"). Because this certificate holder has failed to file an annual report as required by law, the Department is initiating proceedings to revoke the certificate. This notice summarizes the notification letter sent to ADMI.

**FOR FURTHER INFORMATION CONTACT:** Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 ("the Act") (15 U.S.C. 4011-21) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing Title III ("the Regulations") are found at 15 CFR part 325. Pursuant to this authority, a certificate of review was issued on October 19, 1988 to ADMI.

A certificate holder is required by law (Section 308 of the Act, 15 U.S.C. 4018) to submit to the Department of Commerce annual reports that update financial and other information relating to business activities covered by its certificate. The annual report is due within 45 days after the anniversary date of the issuance of the certificate of review (Sections 325.14(a) and (b) of the Regulations). Failure to submit a complete annual report may be the basis for revocation. (Sections 325.10(a) and 325.14(c) of the Regulations).

The Department of Commerce sent to ADMI on October 9, 1998, a letter containing annual report questions with a reminder that its annual report was due on December 3, 1998. Additional reminders were sent on February 10, 1999, and on March 16, 1999. The Department has received no written response to any of these letters.

On August 11, 1999, and in accordance with Section 325.10 (c)(1) of the Regulations, a letter was sent by certified mail to notify ADMI that the Department was formally initiating the process to revoke its certificate. The letter stated that this action is being taken because of the certificate holder's failure to file an annual report.

In accordance with Section 325.10(c)(2) of the Regulations, each certificate holder has thirty days from the day after its receipt of the notification letter in which to respond. The certificate holder is deemed to have received this letter as of the date on which this notice is published in the **Federal Register**. For good cause shown, the Department of Commerce can, at its discretion, grant a thirty-day extension for a response.

If the certificate holder decides to respond, it must specifically address the Department's statement in the notification letter that it has failed to file an annual report. It should state in detail why the facts, conduct, or circumstances described in the notification letter are not true, or if they