

Dated: November 6, 1997.

Robert Yoder,

Province Lead Staff.

[FR Doc. 97-30100 Filed 11-14-97; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

Reporting and Recordkeeping Requirements Under the Wassenaar Arrangement

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before January 16, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Stephen Baker, Bureau of Export Administration (BXA), Department of Commerce, Room 6877, 14th and Constitution Avenue, NW, Washington, DC 20230 (telephone no. (202)482-3673).

SUPPLEMENTARY INFORMATION:

I. Abstract

The information required by this collection is required biannually from all exporters of certain items specified in section 743.1 of the Export Administration Regulations controlled for national security reasons on the Commerce Control List and exported under certain License Exceptions.

A—Items controlled and decontrolled by the list. With the publication of the Wassenaar Arrangement's Dual-Use List, some items will be decontrolled for national security reasons and new controls will be placed on some items. BXA estimates that we will receive approximately 75 fewer applications because of these decontrols. But, this will be counteracted by approximately

45 new applications because of some new items added to the list.

B—Reporting and recordkeeping on license exceptions. Under the Wassenaar Arrangement, the U.S. Government must report twice a year to the other members on aggregate usage of 81 export control entries. The aggregate numbers are readily available from BXA's Export Control Automated Support System (ECASS), except when a licensing exception is used. It is very difficult for BXA to determine usage of licensing exceptions because the exporter determines if the licensing exception applies to a certain commodity and then exports that commodity if the licensing exception applies. BXA receives no record of licensing exception uses.

Because one or more of six licensing exceptions could be used with the 81 export control entries subject to Wassenaar Arrangement reporting, BXA must require exporters to keep a record of each time they use a licensing exception for one of the 81 export control entries (except for the destinations identified in Country Group A:1 of Supplement No. 1 to part 740 of the EAR) and submit this report to BXA biannually in time for the U.S. Government to make its report to the Wassenaar members.

C—Removing license exception availability. The Wassenaar Arrangement's Dual-Use List is composed of three parts: the Basic List, the Sensitive List and the Very Sensitive List. The United States allows some items on the Sensitive List to be shipped to some destinations using a licensing exception. The reporting and recordkeeping requirements described above will enable the United States to keep watch over these items. Currently, the United States also permits some items on the Very Sensitive List to be exported to some destinations using a license exception. Therefore, in deference to our partners in the Wassenaar Arrangement, the United States is withdrawing the license exception privilege for any item on the Very Sensitive List. These items are mainly for licensing exception TSR, "Technology and Software under Restriction."

D—Removing license exceptions for missile tech items. The rule implementing the Wassenaar Arrangement's Dual-Use List removes license exception availability for missile technology controlled items. The decision to remove license exception availability was an interagency based agreement, particularly consultations with the Department of State.

II. Method of Collection

The information will be collected in electronic and written form.

III. Data

OMB Number: 0694-0106.

Form Number: N/A.

Type of Review: Regular Submission.

Affected Public: Businesses and other for-profit institutions, small businesses or organizations.

Estimated Number of Respondents: 2,275.

Estimated Time Per Response: 12 minutes.

Estimated Total Annual Burden

Hours: 851 hours.

Estimated Total Annual Cost: \$17,020 for respondents—no equipment or other materials will need to be purchased to comply with the requirement.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information shall 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 submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: November 10, 1997.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 97-30093 Filed 11-14-97; 8:45 am]

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; William F. McNeil

In the Matter of: William F. McNeil, #5 Woodland Road, Pittsfield, Massachusetts 01201.

Order Denying Permission To Apply for or Use Export License

On August 8, 1996, William F. McNeil (McNeil) was convicted in the United

States District Court for the District of Columbia of violating the International Emergency Economic Powers Act (50 U.S.C.A. 1701-1706 (1991 & Supp. 1997)) (IEEPA). McNeil was convicted of knowingly and willfully exporting, and causing to be exported, United States-origin electronic riot shields from the United States to Romania, without applying for and obtaining from the Department of Commerce the required authorization.

Section 11(h) of the Export Administration Act of 1979, as amended (50 U.S.C.A. app. 2401-2420 (1991 & Supp. 1997)) (the Act),¹ provides that, at the discretion of the Secretary of Commerce,² no person convicted of violating IEEPA, or certain other provisions of the United States Code, shall be eligible to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR Parts 730-774 (1997)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to Sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating IEEPA, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person permission to apply for or use any license, including any License Exception, issued pursuant to, or provided by, the Act and the Regulations, and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of McNeil's conviction for violating IEEPA and following consultations with the Acting Director, Office of Export Enforcement, I have decided to deny McNeil permission to apply for or use any license, including any License Exception, issued pursuant to, or provide by, the Act and the Regulations, for a period of five years the date of his conviction. The denial period ends on

August 8, 2001. I have also decided to revoke all licenses issued pursuant to the Act in which McNeil had an interest at the time of his conviction.

Accordingly, *it is hereby ordered*

I. Until August 8, 2001, William F. McNeil, #5 Woodland Road, Pittsfield, Massachusetts 01201, may not, directly or indirectly, participate 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 Regulations, or in any other activity subject to the Regulations; 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 Regulations, or in any other activity subject to the Regulations.

II. No person may directly or indirectly, do any of the following:

A. Export or reexport 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 that 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.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to McNeil by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until August 8, 2001.

VI. A copy of this Order shall be delivered to McNeil. This Order shall be published in the **Federal Register**.

Dated: November 3, 1997.

Eileen M. Albanese,

Director, Office of Exporter Services.

[FR Doc. 97-30063 Filed 11-14-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-056]

Melamine From Japan; Notice of Termination of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of termination of antidumping duty administrative review.

SUMMARY: In response to a request by an importer, Taiyo America, Inc., the Department of Commerce initiated an administrative review of the antidumping duty finding on melamine from Japan for the period of review, February 1, 1996, through January 31, 1997. The importer's request covered two producers/exporters of subject merchandise. Because no other interested party requested a review, this review has now been terminated as a

¹ The Act expired on August 20, 1994. Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), extended by Presidential Notices of August 15, 1995 (3 CFR, 1995 Comp. 501 (1996)), August 14, 1996 (3 CFR, 1996 Comp. 298 (1997)) and August 13, 1997 (62 FR 43629, August 15, 1997) continued the Export Administration Regulations in effect under IEEPA.

² Pursuant to appropriate delegations of authority, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary of Section 11(h) of the Act.