

in the appropriate county office prior to the close of business of May 28, 2004. Form LS-51-1 and accompanying documentation returned by mail must be postmarked no later than midnight of May 28, 2004.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection requirements made in connection with the Request for Referendum have been approved by the Office of Management and Budget (OMB) and assigned OMB control number 0581-0093.

**Authority:** 7 U.S.C. 6301-6311.

Dated: March 23, 2004.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 04-6767 Filed 3-23-04; 11:40 am]

**BILLING CODE 3410-02-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Information Collection; Request for Comments; FS-2800-9-Contract for the Sale of Mineral Materials

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service announces its intention to extend the information collection, FS-2800-9-Contract for the Sale of Mineral Materials. The collected information enables the Forest Service to ensure that individuals, organizations, companies, or corporations, conducting mining operations on National Forest System lands, conduct the operations in a manner consistent with all applicable land management laws and regulations in an environmentally responsible manner and are financially accountable.

**DATES:** Comments must be received in writing on or before May 24, 2004.

**ADDRESSES:** Comments concerning this notice should be addressed to Director, Minerals and Geology Management Staff, Mail Stop 1126, 1601 N. Kent Street—5th Floor, Forest Service, USDA, Arlington, VA 22209.

Comments also may be submitted via facsimile to (703) 605-1575 or by e-mail to [mgreeley@fs.fed.us](mailto:mgreeley@fs.fed.us).

The public may inspect comments in the Office of the Director, Minerals and Geology Management Staff, 1601 N. Kent Street—5th Floor, Forest Service, USDA, Arlington, Virginia, during normal business hours. Visitors are encouraged to call ahead to (703) 605-4797 to facilitate entry into the building.

**FOR FURTHER INFORMATION, CONTACT:** Mike Greeley, Minerals and Geology Management, at (703) 605-4797.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mineral Materials Act of 1947, as amended, and the Multiple Use Mining Act of 1955, as amended, authorize the Secretary of Agriculture to dispose of petrified wood and common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and other similar materials on lands administered by the Forest Service. Individuals, organizations, companies, or corporations may apply for a permit to mine these mineral materials using the form, FS-2800-9-Contract for the Sale of Mineral Materials. The agency is requesting an authorization extension for form FS-2800-9-Contract for the Sale of Mineral Materials.

##### Description of Information Collection

The following describes the information collection to be extended:  
*Title:* FS-2800-9—Contract for the Sale of Mineral Materials.

*OMB Number:* 0596-0081.

*Expiration Date of Approval:* May 31, 2004.

*Type of Request:* Extension.

*Abstract:* The collected information enables the Forest Service to document planned operations, to prescribe the terms and conditions the agency deems necessary to protect surface resources, and to effect a binding contract agreement.

Forest Service employees will evaluate the collected information to ensure that entities, applying to mine petrified wood and common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and other similar materials on lands administered by the Forest Service, are financially accountable and conduct their activities in accordance with the mineral regulations at Part 228, subpart C, of Title 36 of the Code of Federal Regulations.

Individuals, organizations, companies, or corporations, interested in mining mineral materials on National Forest System lands, may contact their local Forest Service office to inquire about opportunities and to learn about areas on which such activities are permitted. Interested parties also may request the form, FS-2800-9, at this time.

Individuals, organizations, companies, or corporations are asked to provide information that includes the purchaser's name and address, the location and dimensions of the area to be mined, the kind of material that will

be mined, the quantity of material that will be mined, the sales price of the mined material, the payment schedule, the amount of the bond, and the period of the contract.

Data collected in this information collection are not available from other sources.

*Estimate of Burden:* 2.5 hours.

*Type of Respondents:* Mineral materials operators.

*Estimated Number of Respondents:* 6,000.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 15,000 hours.

Comment is invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical or scientific 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 respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

#### Use of Comments

All comments, including name and address when provided, will become a matter of public record. Comments will be summarized and included in the submission for Office of Management and Budget approval.

Dated: March 19, 2004.

**Gloria Manning,**

*Associate Deputy Chief, National Forest System.*

[FR Doc. 04-6686 Filed 3-24-04; 8:45 am]

**BILLING CODE 3410-11-P**

## AMERICAN BATTLE MONUMENTS COMMISSION

### SES Performance Review Board

**AGENCY:** American Battle Monuments Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the appointment of members of the ABMC Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** Theodore Gloukhoff, Director of Personnel and Administration, American Battle Monuments

Commission, Courthouse Plaza II, Suite 500, 2300 Clarendon Boulevard, Arlington, Virginia, 22201-3367, Telephone Number: (703) 696-6908. American Battle Monuments

Commission SES Performance Review Board;

Mr. Donald Basham, Chief, Engineering and Construction Division, Directorate of Civil Works, U.S. Army Corps of Engineers;

Mr. Stephen Coakley, Director of Resource Management, U.S. Army Corps of Engineers;

Ms. Patricia Rivers, Chief, Environmental Division, Directorate of Military Programs, U.S. Army Corps of Engineers.

**Theodore Gloukhoff,**

*Director, Personnel and Administration.*

[FR Doc. 04-6630 Filed 3-24-04; 8:45 am]

BILLING CODE 6120-01-P

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges; Yaudat Mustafa Talyi

#### Renewal and Modification of Order Temporarily Denying Export Privileges

Pursuant to Section 766.24 of the Export Administration Regulations ("EAR"),<sup>1</sup> the Bureau of Industry and Security ("BIS"), U.S. Department of Commerce, through its Office of Export Enforcement ("OEE"), has requested that I renew and modify the order ("TDO") issued on September 24, 2003, effective September 25, 2003, temporarily denying export privileges of Yaudat Mustafa Talyi, a.k.a. Joseph Talyi, 41, Chamale Cove East, Slidell, Louisiana 70460 ("Talyi"), and International Business Services, Ltd., 700 Gause Boulevard, Suite 304, Slidell, Louisiana 70458, 41 Chamale Cove East, Slidell, Louisiana 70460, and 2301 Covington Highway 190, Slidell,

Louisiana 70460 ("IBS"). Pursuant to Sections 766.23 and 766.24(c) of the EAR, the TDO also applies to the following as related persons to Talyi and IBS: Top Oil Tools, Ltd. ("Top Oil"), 41 Chamale Cove East, Slidell, Louisiana 70460; Uni-Arab Engineering and Oil Field Services ("Uni-Arab"), P.O. Box 46112, Abu Dhabi, United Arab Emirates, and, Al-Gaith Tower, Hamden Street, Flat No. 1202, Abu Dhabi, United Arab Emirates; Jaime Radi Mustafa a.k.a. Radi Mustafa ("Radi Mustafa"), 888 Cross Gates Boulevard, Slidell, Louisiana 70458, and Khalidiya, P.O. Box 46112, Abu Dhabi, United Arab Emirates; and Nureddin Shariff Sehweil, a.k.a. Dean Sehweil ("Dean Sehweil"). 888 Cross Gates Boulevard, Slidell, Louisiana 70458, and, 106 Everest Drive, Slidell, Louisiana 70461, and Khalidiya, P.O. Box 46112, Abu Dhabi, United Arab Emirates.

BIS is requesting that the TDO be renewed as to Talyi for a period of 180 days. BIS is not requesting that the TDO be renewed against Talyi's two companies, Respondent IBS and related person Top Oil, as both were dissolved as corporate entities on February 16, 2004. Further, BIS is not asking that the TDO be renewed as to Uni-Arab, Mustafa and Sehweil as BIS intends to pursue other administrative action against them.

#### *A. Basis for Renewal of the Order Temporarily Denying the Export Privileges of Yaudat Mustafa Talyi, a.k.a. Joseph Talyi*

In its March 2, 2004 request, BIS states that based upon new evidence and evidence previously adduced that was the basis for the issuance of the initial order temporarily denying Talyi and two of his companies export privileges on September 30, 2002 order and the March 29, 2003 renewal (as modified on July 23, 2003 to add Uni-Arab, Radi Mustafa, and Dean Sehweil as related persons), it believes that renewal of the TDO as to Talyi is necessary to prevent further violations of U.S. export control laws. The new evidence is that Talyi has pled guilty to two violations of the International Emergency Economic Powers Act for his participation in illegal export transactions and Talyi has tentatively agreed to settle a related BIS administrative enforcement case against him. Specifically, on January 29, 2004, in the United States District Court for the Eastern District of Louisiana, pursuant to a plea agreement, Talyi pled guilty to two felony counts of violating the International Emergency Economic Powers Act for his participation in an export and attempted export of items

subject to the EAR from the United States to the United Arab Emirates. Significantly, those export transactions were made after the initial TDO had been issued against Talyi and his two companies and after they had received notice of the denial of export privileges. Talyi's sentencing is scheduled for April 28, 2004 and pending sentencing Talyi is free on bail.

The evidence previously submitted by BIS in support its requests for orders temporarily denying export privileges proves that Talyi had exported or participated in the export of items to Libya in violation of the EAR and other U.S. export controls in a manner that was deliberate, covert, and suggested a likelihood that violations would occur again absent a TDO. See 67 FR 62225 (October 4, 2002) and BIS Request for Renewal of TDO, dated September 5, 2003, at 5-7.

Accordingly, I am renewing the order temporarily denying the export privileges of Talyi for a period of 180 days, as I have concluded that a TDO against Talyi continues to be a necessary, in the public interest, to prevent an imminent violation of the EAR.

*It is Therefore Ordered:* First, that Yaudat Mustafa Talyi, a.k.a. Joseph Talyi, 41 Chamale Cove East, Slidell, Louisiana 70460 ("Talyi") (the "Denied Person") 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 Export Administration Regulations ("EAR"), or in any other activity subject to the EAR, 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. Benefitting 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 the Denied Person any item subject to the EAR;

<sup>1</sup> The EAR, which are currently codified at 15 CFR parts 730-774 (2003), are issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420) (2000) (the "Act"). 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 August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the EAR in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1707 (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 EAR in effect under IEEPA.