Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: July 21, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99–19231 Filed 7–27–99; 8:45 a.m.]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Economic Analysis

Establishment of the Bureau of Economic Analysis Advisory Committee

AGENCY: Bureau of Economic Analysis (BEA), Commerce.

ACTION: Notice of the establishment of the Bureau of Economic Analysis Advisory Committee.

SUMMARY: In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. 2, and the General Services Administration (GSA) rule on Federal Advisory Committee Management, 41 CFR part 101–6, the Secretary of Commerce has determined that the establishment of the Bureau of Economic Analysis Advisory Committee (the ''Committee'') is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee will advise the Director of the Bureau of Economic Analysis (BEA) on matters related to the development and improvement of BEA's national, regional, and international economic accounts

The Committee will consist of thirteen members appointed by the Director of BEA and will be balanced to include members from business, academic, research, government, and international organizations who are acknowledged experts in relevant fields, such as economics, statistics, and economic accounting. Persons interested in being considered for membership on the Committee should contact J. Steven Landefeld, Director of BEA, at the address below.

The Committee will function solely as an advisory body, in compliance with the provisions of the Federal Advisory Committee Act.

DATES: The charter will be filed under the Act, August 12, 1999.

ADDRESSES: BEA Advisory Committee, BE–1, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: J. Steven Landefeld, Director, Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; telephone: 202–606–9600.

Authority: Federal Advisory Committee Act: 5 U.S.C. App. 2 and General Services Administration Rule: 41 CFR Part 101–6.

Dated: July 22, 1999.

J. Steven Landefeld,

Director.

[FR Doc. 99–19320 Filed 7–27–99; 8:45 am]

BILLING CODE 3510–DT–M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

[Docket Number 99–BXA–01]

Action Affecting Export Privileges; Fawzi Mustapha Assi; Decision and Order

In the Matter of: Fawzi Mustapha Assi, 7706 Middlepoint Street, Dearborn, Michigan 48126, Respondent.

On January 7, 1999, the Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (hereinafter ''BXA''), issued a charging letter initiating an administrative proceeding against Fawzi Mustapha Assi (hereinafter ''Assi''). The charging letter alleged that Assi committed three violations of the Export Administration Regulations (currently codified at 15 CFR Parts 730–774 (1999)) (hereinafter the ''Regulations''), issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401–2420 (1991 & Supp. 1999)) (hereinafter the ''Act'').[1]

Specifically, the charging letter alleged that, on or about July 13, 1998, Assi attempted to export from the United States to Lebanon a thermal imaging camera without the export license that he knew or had reason to know was required by Sections 742.4 and 742.6 of the Regulations. BXA alleged that, by attempting to violate the Act, the Regulations, or any order, license, or authorization issued thereunder, Assi violated Section 764.2(c) of the Regulations. BXA also alleged that, by selling, transferring, or forwarding commodities exported or to be exported from the United States with knowledge or reason to know that a violation of the Act, the Regulations, or any order, license, or authorization issued thereunder occurred, was about to occur, or was intended to occur with respect to the transaction, Assi violated Section 764.2(e) of the Regulations.

Finally, BXA also alleged that, in connection with the attempted export described above, Assi failed to file with the U.S. Customs Service, at the time of the attempted export, the Shipper's Export Declaration (SED), an export control document as defined in Part 772 of the Regulations, required by Section 758.1(e) of the Regulations. BXA alleged that, by failing to file the SED, Assi concealed material facts from a United States agency for the purpose of or in connection with effecting an export from the United States, and, in so doing, violated Section 764.2(g) of the Regulations.

Thus, BXA alleged that Assi committed one violation of Section 764.2(c), one violation of Section 764.2(e), and one violation of Section 764.2(g), for a total of three violations of the Regulations.

BXA presented evidence that the charging letter was served on Assi in accordance with Section 766.3 of the Regulations but that he failed to answer it, as required by 766.7 of the Regulations, and is therefore in default. Thus, pursuant to Section 766.7 of the Regulations, BXA moved that the Administrative Law Judge (hereinafter in the ALJ) find the facts to be as alleged in the charging letter and render a Recommended Decision and Order.

Following BXA's motion, the ALJ issued a Recommended Decision and Order in which he found the facts to be as alleged in the charging letter, and concluded that those facts constitute one violation of Section 764.2(c), one violation of Section 764.2(e), and one violation of Section 764.2(g), for a total of three violations of the Regulations by Assi, as BXA alleged. The ALJ also agreed with BXA's recommendation that the appropriate penalty to be imposed for that violation is a denial, for a period of 20 years, of all of Assi's export privileges. As provided by Section 766.22 of the Regulations, the Recommended Decision and Order has been referred to me for final action.

Based on my review of the entire record, I affirm the findings of fact and conclusions of law in the Recommended Decision and Order of the ALJ.

Accordingly, it is therefore ordered,

[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)), August 13, 1997 (3 CFR, 1997 Comp. 306 (1998)), and August 13, 1998 (3 CFR, 1998 Comp. 294 (1999)), continued the Regulations in effect under the International Emergency Economic Powers Act (currently codified at 50 U.S.C.A. §§ 1701–1706 (1991 & supp. 1999)).

First, that, for a period of 20 years from the date of this Order, Fawzi Mustapha Assi, 7706 Middlepoint Street, Dearborn, Michigan 48126, 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 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.

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 Regulations.

B. Take any action that facilities 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.

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

Fourth, that 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.

Fifth, that this Order shall be served on Assi and on BXA, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Dated: July 12, 1999.

William A. Reinsch,

Under Secretary for Export Administration.

[FR Doc. 99–19250 Filed 7–27–99; 8:45 am]

BILLING CODE 3510–DT–M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; Dmitry N. Chernyshenko; Decision and Order

In the Matters of: Dmitry N. Chernyshenko, Director, SFT Advertising Agency, 35 Altufievskoe Avenue, Moscow, 127410, Russia, and SFT Advertising Agency, 35 Altufievskoe Avenue, Moscow, 127410, Russia, Respondents.

On May 14, 1998, the Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (hereinafter ''BXA''), issued separate charging letters initiating administrative proceedings against Dmitry N. Chernyshenko and SFT Advertising Agency, (hereinafter) ''Chernyshenko'' and ''SFT'').[1] The charging letters alleged that Chernyshenko and SFT each committed three violations of the Export Administration Regulations (currently codified at 15 CFR Parts 730–774 (1999)) (hereinafter the ''Regulations''),[2] issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401–2420 (1991 & Supp. 1998)) (hereinafter the ''Act'').[3]

Specifically, the charging letters alleged that, beginning in March 1993 and continuing through September 1993, Chernyshenko and SFT engaged in a scheme to cause the export of a Hewlett-Packard Apollo Model 735 Workstation with a 99 MHz PA RISC processor chip (hereinafter collectively referred to as ''HP-Workstation'') from the United States through Germany to Russia, the ultimate destination, without first obtaininig the authorizations that Chernyshenko and SFT knew or had reason to know were required. BXA alleged that, by ordering commodities exported or to be exported from the United States, and that, by financing that transaction, with knowledge or reason to know that a violation of the Act, or any regulation, order, or license issued thereunder occurred, was about to occur, or was intended to occur with respect to the transaction, both Chernyshenko and SFT violated Section 787.4(a) of the former Regulations.

Furthermore, the charging letters alleged that, in connection with that transaction, on or about May 14, 1993, using a German business affiliate's stationery and signing that affiliate's president's name without his permission, Chernyshenko, acting in his capacity as Director of SFT, drafted a letter of assurance which stated, among other things, that the HP-Workstation would not be shipped outside GCT-eligible countries, without prior authorization from the appropriate national authorities and, in particular, that ''this workstation [will not be reexported] from Germany to Russia or any other portion of the former Soviet Union without the permission of the U.S. Commerce Department.'' BXA alleged that, by falsifying information in

[1] In light of the fact that the enforcement proceedings against Chernyshenko and SFT arose out of the same transaction, and as the evidence supporting BXA's allegations in both cases is the same, BXA has consolidated the proceedings and filed a single default submission.

[2] The violations at issue occurred in 1993. The Regulations governing those violations are found in the 1993 version of the Code of Federal Regulations (15 CFR Parts 768–799 (1993)) and referred to hereinafter as the former Regulations. Since that time, the Regulations have been reorganized and restructured; the restructured Regulations establish the procedures and apply to these matters.

[3] The Act expired on August 20, 1994. The 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)), August 13, 1997 (3 CFR, 1997 Comp. 306 (1998)), and August 13, 1998 (3 CFR, 1998 Comp. 294 (1999)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. §§ 1701–1706 (1991 & Supp. 1999)).