

# 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

### Office of the Secretary

#### Cancellation of the National Agricultural Research, Extension, Education, and Economics Advisory Board Meeting

**AGENCY:** Research, Education, and Economics, USDA.

**ACTION:** Notice of intent to cancel meeting.

**SUMMARY:** The meeting of the National Agricultural Research, Extension, Education, and Economics Advisory Board scheduled for October 23–25, 2012 has been cancelled. The original meeting notice was published in **Federal Register** Volume 77, Number 186, (Tuesday, September 25, 2012) {Pages 58978–58979} [FR Doc No: 2012–23610].

**FOR FURTHER INFORMATION CONTACT:** J. Robert Burk, Executive Director or Shirley Morgan-Jordan, Program Support Coordinator, National Agricultural Research, Extension, Education, and Economics Advisory Board; telephone: (202) 720–3684; fax: (202) 720–6199; or email: [Robert.Burk@usda.gov](mailto:Robert.Burk@usda.gov) or [Shirley.Morgan@ars.usda.gov](mailto:Shirley.Morgan@ars.usda.gov).

**SUPPLEMENTARY INFORMATION:** A meeting of the National Agricultural Research, Extension, Education, and Economics Advisory Board scheduled to take place at the Phoenix Park Hotel, 520 North Capitol Street NW., Washington, DC 20001 on October 23–25, 2012 has been cancelled.

Done at Washington, DC, this 10th day of October 2012.

**Catherine Woteki,**

*Under Secretary, Research, Education, and Economics.*

[FR Doc. 2012–25928 Filed 10–22–12; 8:45 am]

**BILLING CODE 3410–03–P**

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Institute of Standards and Technology (NIST).

*Title:* SURF (Summer Undergraduate Research Fellowship) Program Student Application Information.

*OMB Control Number:* 0693–0042.

*Form Number(s):* None.

*Type of Request:* Regular submission (extension of a currently approved information collection).

*Number of Respondents:* 300.

*Average Hours per Response:* 1 hour.

*Burden Hours:* 300.

*Needs and Uses:* The SURF Program provides an opportunity for the NIST laboratories and the National Science Foundation (NSF) to join in a partnership to encourage outstanding undergraduate students to pursue careers in science and engineering. The Program also provides research opportunities for students to work with internationally known NIST scientists, to expose them to cutting-edge research, and promote the pursuit of graduate degrees in science and engineering. The information is used for evaluation and selection, and includes: Student's name, host institution, email address/contact information, home address, class standing, first- and second-choice NIST laboratories they wish to apply to, academic major (minor), current overall grade point average, need for housing and gender (for housing purposes only), availability dates, resume, personal statement of commitment and research interests, two letters of recommendation, academic transcripts, verification of U.S. citizenship or permanent legal residency, and verification of health coverage.

*Affected Public:* Individuals or households.

*Frequency:* Annually.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* Jasmeet Sehra, (202) 395–3123.

Copies of the above information collection proposal can be obtained by

calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, (202) 482–0336, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [Jjessup@doc.gov](mailto:Jjessup@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jasmeet Sehra, OMB Desk Officer, FAX number (202) 395–5167, or via the Internet at [Jasmeet\\_K\\_Sehra@omb.eop.gov](mailto:Jasmeet_K_Sehra@omb.eop.gov).

Dated: October 18, 2012.

**Gwellnar Banks,**

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

[FR Doc. 2012–26032 Filed 10–22–12; 8:45 am]

**BILLING CODE 3510–13–P**

## DEPARTMENT OF COMMERCE

### Economic Development Administration

#### Membership of the Economic Development Administration Performance Review Board

**AGENCY:** Economic Development Administration, Department of Commerce.

**ACTION:** Notice of Membership on the Economic Development Administration's Performance Review Board Membership.

**SUMMARY:** In accordance with 5 U.S.C. 4314(c)(4), the Economic Development Administration (EDA), Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of EDA's Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and rating of Senior Executive Service (SES) members and (2) making recommendations to the appointing authority on other performance management issues, such as pay adjustments, bonuses and Presidential Rank Awards for SES members. The appointment of these members to the Performance Review Board will be for a period of twenty-four (24) months.

**DATES:** The period of appointment for those individuals selected for EDA's Performance Review Board begins on October 23, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Ronda L. Holbrook, U.S. Department of Commerce, Human Resources Operations Center (DOCHROC), Office of Executive Resources Operations, 14th and Constitution Avenue NW., Room 7419, Washington, DC 20230, at (202) 482-5243.

**SUPPLEMENTARY INFORMATION:**

In accordance with 5 U.S.C. 4314(c)(4), the Economic Development Administration (EDA), Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of EDA's Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and rating of Senior Executive Service (SES) members and (2) making recommendations to the appointing authority on other performance management issues, such as pay adjustments, bonuses and Presidential Rank Awards for SES members. The appointment of these members to the Performance Review Board will be for a period of twenty-four (24) months.

**DATES:** The period of appointment for those individuals selected for EDA's Performance Review Board begins on October 23, 2012. The name, position title, and type of appointment of each member of EDA's Performance Review Board are set forth below by organization:

1. *Jeannette P. Tamayo*, Chicago Regional Director, EDA, career, serves as Chair, new member.

2. *Kenneth J.E. Hyatt*, Acting Deputy Under Secretary for International Trade, International Trade (ITA), non-career, new member.

3. *Gordon T. Alston*, Director, Financial Reporting and Internal Controls, OS, Office of the Chief Financial Officer and Assistant Secretary for Administration, career.

4. *Edith J. McCloud*, Associate Director for Management, Minority Business Development Agency, career.

Dated: October 11, 2012.

**Susan Boggs,**

*Director, Office of Staffing, Recruitment and Classification, Department of Commerce Human Resources Operations Center.*

[FR Doc. 2012-26061 Filed 10-22-12; 8:45 am]

**BILLING CODE 3510-25-P**

**DEPARTMENT OF COMMERCE****Bureau of Industry and Security**

[08-BIS-0005]

**In the Matter of: Micei International, Respondent****Order Relating to Micei International**

Whereas, the Bureau of Industry and Security, U.S. Department of Commerce ("BIS"), notified Micei International, of Skopje, Macedonia ("Micei") in 2008 that it initiated an administrative proceeding against Micei pursuant to Section 766.3 of the Export Administration Regulations (the "Regulations"),<sup>1</sup> and Section 13(c) of the Export Administration Act of 1979, as amended (the "Act"),<sup>2</sup> through the issuance of a Charging Letter to Micei in 2008 that alleges that Micei committed fourteen violations of the Regulations in 2003;<sup>3</sup>

Whereas, an Administrative Law Judge ("ALJ") previously issued a Recommended Decision and Order in this proceeding containing findings of fact and conclusions of law, including, inter alia, that Micei was in default under Section 766.7 of the Regulations, and the then-Acting Under Secretary of Commerce for Industry and Security affirmed the ALJ's recommended default order through a Final Decision and Order dated May 14, 2009 (the "May 14, 2009 Order");

Whereas, Micei subsequently filed petitions for review of the May 14, 2009 Order, with the U.S. Court of Appeals for the District of Columbia Circuit and submitted briefs raising various challenges to the order (Appellant/Petitioner Brief filed Nov. 16, 2009, and Reply Brief filed Dec. 30, 2009).<sup>4</sup>

Whereas, the May 14, 2009 Order became effective on May 26, 2009, but subsequently, on July 24, 2009, BIS issued an Order Staying Enforcement of Final Decision and Order Pending

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR Parts 730-774 (2012). The alleged violations occurred in 2003. The governing provisions of the EAR are found in the 2003 version of the Code of Federal Regulations (15 CFR Parts 730-774). The 2012 Regulations set forth the procedures that apply to this matter.

<sup>2</sup> 50 U.S.C. app. §§ 2401-2420 (2000). 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)), which has been extended by successive Presidential Notices, the most recent being that of August 15, 2012 (77 FR . 49699 (Aug. 16, 2012)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.*).

<sup>3</sup> See 74 FR 24,788 (May 26, 2009).

<sup>4</sup> See *Micei International v. Department of Commerce*, Nos. 09-1155 and 09-1186 (D.C. Cir.).

Appeal with regard to the May 14, 2009 Order;<sup>5</sup>

Whereas, on July 16, 2010, the U.S. Court of Appeals for the District of Columbia Circuit issued its Decision and Order transferring Micei's petition for review to the U.S. District Court for the District of Columbia.<sup>6</sup> Accordingly, Micei's petition is currently pending as Civil Action Number 1:10-cv-01237 (JDB) (the "petition for review");

Whereas, BIS and Micei have 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;

Whereas, the Settlement Agreement contains a provision that, if I approve the terms of the Settlement Agreement and issue this Order, the parties are required to jointly submit to the District Court within five days of my issuance of this Order a stipulation of dismissal with prejudice with regard to Micei's petition for review; and

Whereas, I have approved the terms of such Settlement Agreement.

It is therefore ordered:

First, as set forth in the Settlement Agreement, Micei shall implement an Export Management and Compliance Program no later than six months from the effective date of this Order. Said Export Management and Compliance Program shall be in substantial compliance with the BIS compliance guidelines, which are available from the BIS Web site at [http://www.bis.doc.gov/complianceandenforcement/emcp\\_guidelines.pdf](http://www.bis.doc.gov/complianceandenforcement/emcp_guidelines.pdf), and which are incorporated herein by reference. A copy of Micei's Export Management and Compliance Program shall be submitted in English to the Department of Commerce, Bureau of Industry and Security, Office of Exporter Services, Export Management and Compliance Division, Attn: Tom Andrukonis, 14th St. & Pennsylvania Ave. NW., Washington, DC 20230 ("BIS Export Management and Compliance Division") no later than six months from the effective date of this Order.

Second, as set forth in the Settlement Agreement, Micei shall complete two audits of its compliance with U.S. export control laws (including recordkeeping requirements), with respect to all exports or reexports that are subject to the Regulations. The results of the audits, including any relevant supporting materials, shall be submitted in English to the BIS Export Management and Compliance Division

<sup>5</sup> See FR 38,394 (August 3, 2009).

<sup>6</sup> See *Micei International v. Department of Commerce*, 613 F.3d 1147 (D.C. Cir. 2010).