

Notices

Federal Register

Vol. 72, No. 102

Tuesday, May 29, 2007

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

Rural Housing Service

Funding Opportunity: Section 514 Farm Labor Housing Loans and Section 516 Farm Labor Housing (FLH) Grants for Off-Farm Housing

AGENCY: Rural Housing Service, USDA.

ACTION: Notice; correction.

SUMMARY: The Rural Housing Service is correcting a notice published in the **Federal Register** on Thursday, April 19, 2007. This action is taken to correct a State Office address referenced in the contact information of the application and submission portion of the notice. This correction will insure that the applicant receives the most current and

accurate information necessary for the submission of the proposal packages.

Accordingly, the notice published on April 19, 2007 (72 FR 19680–19684) is corrected as follows:

On page 19680, in the third column under the heading, "Submission Address," the Idaho State Office address is added to read as follows: Idaho State Office, 9173 West Barnes Drive, Suite A1, Boise, ID 83709, (208) 378–5627, Roni Atkins.

FOR FURTHER INFORMATION CONTACT: For general information, applicants may contact Henry Searcy, Senior Loan Specialist, Multi-Family Housing Processing Division, Rural Housing Service, United States Department of Agriculture, Stop 0781, 1400 Independence Avenue, SW., Washington, DC, 20250–0781, telephone (202) 720–1753 (voice) (this is not a toll free number) or (800) 877–8339 (TDD-Federal Information Relay Service) or via e-mail at, Henry.Searcy@wdc.usda.gov, or FAX (202) 690–3444.

Dated: May 17, 2007.

Chadwick O. Parker,
Acting Administrator, Rural Housing Service.
[FR Doc. E7–10213 Filed 5–25–07; 8:45 am]

BILLING CODE 3410–XV–P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration, Department of Commerce.

ACTION: Notice and opportunity for public comment.

Pursuant to Section 251 of the Trade Act of 1974 (19 U.S.C. 2341 *et seq.*), the Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below. EDA has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE FOR THE PERIOD APRIL 21, 2007 THROUGH MAY 21, 2007

Firm	Address	Date petition accepted	Product
NanoScale Corporation	1310 Research park Drive Manhattan, KS 66502.	5/2/2007	specialty Nano products.
Agri-Inject, Inc	5500 East Highway 34 Yuma, CO 80759.	5/2/2007	pumps for agricultural fluid application technology.
Heritage Medical Products, Inc.	10380 County Rd 6310 West Plains, MO 65775–6331.	5/2/2007	exam tables used in echocardiography and vascular surgery.
Line Tool and Stamping Company DBA The Line Group, Inc.	539 West Algonquin Road Arlington Heights, IL 60005.	5/14/2007	Custom metal stampings and assemblies related to mounts and fittings for automotive, off-road, heavy duty, household appliance and shelving industries.
Chim Cap Corp	120 Schmitt Blvd. Farmingdale, NY 11735.	5/10/2007	Stainless steel chimney caps and liners.
Bufore Enterprises, INC dba Clark Engineering.	700 McMillan Owosso, MI 48867.	5/14/2007	steel rod, wire and tube products.
Gene Pearce Industries	25103 W. 41st Sand Springs, OK 74063.	5/10/2007	parts for winches.
Fiberglass Innovations, L.L.C. ...	2219 Kishwaukee St. Rockford, IL 61101–7008.	5/21/2007	Fiberglass pultruded products.
Fredericks Design, Inc.	6 Sherman Avenue Grand Haven, MI 49417.	5/14/2007	Short run plastic prototypes.

Any party having a substantial interest in these proceedings may request a public hearing on the matter.

A written request for a hearing must be submitted to the Office of Performance Evaluation, Room 7009, Economic

Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10)

calendar days following publication of this notice. Please follow the procedures set forth in Section 315.9 of EDA's final rule (71 FR 56704) for procedures for requesting a public hearing. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: May 21, 2007.

William P. Kittredge,
Program Officer for TAA.

[FR Doc. 07-2647 Filed 5-25-07; 8:45 am]

BILLING CODE 3510-24-M

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Action Affecting Export Privileges; Data Physics Corporation; In the Matter of: Data Physics Corporation; 2025 Gateway Place, Suite 260, San Jose, CA 95110, Respondent.]

Order Relating to Data Physics Corporation

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") has initiated an administrative proceeding against Data Physics Corporation (hereinafter referred to as "Data Physics"), case number 06-BIS-21, through the issuance of a charging letter, pursuant to Section 766.3 of the Export Administration Regulations (currently codified as 15 CFR parts 730-774 (2007)) ("Regulations")¹ and Section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) ("Act").² BIS and Data Physics have agreed to settle case 06-BIS-21 based on the following five alleged violations of the Regulations. Specifically, the charges are:

Charge 1 15 CFR 764.2(a)—Unlicensed Export to Listed Entity in China

On or about December 20, 2001, Data Physics engaged in conduct prohibited by the Regulations when it exported a DP 550 Vibration Controller, an item subject to the Regulations, to the Chinese Academy of Launch Vehicle Technology ("CALT") in the

People's Republic of China ("China"), an organization on BIS's Entity List,³ without the license required by the Department of Commerce. A licensee was required for this export under Section 744.1 and Supplement No. 4 to Part 744 of the Regulations. In so doing, Data Physics committed one violation of Section 764.2(a) of the Regulations.

Charge 2 15 CFR 764.2(e)—Acting With Knowledge of a Violation

On or about December 20, 2001, in connection with the transaction described in Charge 1 above, Data Physics sold and/or forwarded a DP 550 Vibration Controller with knowledge that a violation of the Regulations would occur in connection with the item. At all times relevant hereto, Data Physics knew or should have known that an export license was required to ship a DP 550 Vibration Controller, an item subject to the Regulation, from the United States to CALT, an entity on BIS's Entity List. Data Physics had reason to know that a license was required for this export since, *inter alia* Office of Export Enforcement ("OEE") special agents visited Data Physics in May 1999 where they informed Data Physics' Chief Technology Officer and the Director of Manufacturing and Quality Systems, on the rules and requirements regarding exports to organizations on the BIS Entity list. The Chief Technology Officer then sent an e-mail to Sri Welaratna, company president, explaining the rules and included a link to BIS's Entity List. In so doing, Data Physics committed one violation of Section 764.2(e) of the Regulations.

Charge 3 15 CFR 764.2(a)—Unlicensed Export to Listed Entity in China

On or about March 15, 2002, Data Physics engaged in conduct prohibited by the Regulations when it exported a Signalstar Vector (DP 560) vibration controller, an item subject to the Regulations, to the Beijing Automation Equipment Institute ("BACEI") in China, an organization on BIS's Entity List,⁴ without the license required by the Department of Commerce. A license was required for this export under Section 744.1 and Supplement No. 4 to Part 744 of the Regulations. In so doing, Data Physics committed one violation of Section 764.2(a) of the Regulations.

Charge 4 15 CFR 764.2(e)—Acting With Knowledge of a Violation

On or about March 15, 2002, in connection with the transaction described in Charge 3 above, Data Physics sold and/or forwarded a Signalstar Vector (DP 560) vibration controller with knowledge that a violation of the Regulations would occur in connection with the item. At all times relevant hereto, Data Physics knew or should have known that an export license was required to ship a Signalstar Vector (DP 560) vibration controller, an item subject to the Regulations, from the United States to BACEI, an entity on BIS's Entity List. Data Physics had reason to know that a license was required for this

export since, *inter alia*, OEE special agents visited Data Physics in May 1999 where they informed Data Physics' Chief Technology Officer and the Director of Manufacturing and Quality Systems, on the rules and requirements regarding exports to organizations on the BIS Entity List. The Chief Technology Officer then sent an e-mail to Sri Welaratna, company president, explaining the rules and included a link to BIS's Entity List. In so doing, Data Physics committed one violation of Section 764.2(e) of the Regulations.

Charge 5 CFR 764.2(g)—False Statement on Shipper's Export Declaration

On or about March 15, 2002, in connection with the transaction described in Charges 3 and 4 above, Data Physics made a false statement to the U.S. Government in connection with the submission of an export control document. Specifically, Data Physics filed a Shipper's Export Declaration ("SED") with the U.S. Government stating that the items that were the subject of the SED qualified for export as "NLR," i.e., that no license was required. This representation was false, as a license was required for the Signalstar Vector (DP 560) vibration controller to be exported to the Beijing Automation Control Equipment Institute. In so doing, Data Physics committed one violation of Section 764.2(g) of the Regulations.

BIS and Data Physics having 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, and the terms of the Settlement Agreement having been approved by me;

It is Therefore Ordered:

First, that Data Physics shall pay a civil penalty of \$55,000 to the U.S. Department of Commerce to be paid within 30 days from the date of entry of the Order. Payment shall be made in the manner specified in the attached instructions. Additionally:

A. Pursuant to the Debt Collection Act of 1982, as amended 31 U.S.C. 3701-3720E (1983 and Supp. 2000)), the civil penalty owed under this Order accrues interest as more fully described in the attached Notice, and, if payment is not made by the due date specified herein, Data Physics will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

B. The timely payment of the civil penalty set forth above is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Data Physics. Accordingly, if Data Physics should fail to pay the civil penalty in a timely manner, the undersigned may enter an Order

¹ The violations charged occurred in 2001-2002. The Regulations governing the violations at issue are found in the 2001-2002 versions of the Code of Federal Regulations (15 CFR Parts 730-774 (2001-2002)). The 2007 Regulations govern the procedural aspect of the case.

² 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 2, 2006 (71 Fed. Reg. 44,551 (Aug. 7, 2006)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA").

³ 15 CFR Supplemental No. 4 to Part 744.

⁴ *Id.*