

license or written authorization for such export.

Section 11(h) of the Export Administration act of 1979, as amended (currently codified at 5 U.S.C. app. 2401–2420 (1994 & Supp. V 1999)) (“Act”)<sup>1</sup> provides that, at the discretion of the Secretary of Commerce,<sup>2</sup> no person convicted of violating any of a number of federal criminal statutes including the AECA shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act of the Export Administration Regulations (currently codified at 15 CFR parts 730–774 (2002)) (“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 the AECA, the Director, Office of Exporter Services in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person’s export privileges for a period of up to 10 years from the date of conviction and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of Bing Sun’s conviction for violating the AECA, and after providing notice and an opportunity for Bing Sun to make a written submission to the Bureau of Industry and Security before issuing an Order denying his export privileges, as provided in section 766.25 of the Regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Bing Sun’s export privileges for a period of 10 years from the date of his conviction. The 10-year period ends on December 18, 2010. I have also decided to revoke all licenses issued pursuant to the Act

<sup>1</sup> 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 issued on August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706 (1994 & Supp. V 1999)) (“IEEPA”). 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 14, 2002 (67 FR 53721 (August 16, 2002)), has continued the Regulations in effect under IEEPA.

<sup>2</sup> Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act.

in which Bing Sun had an interest at the time of his conviction.

Accordingly, it is hereby—

#### Ordered

I. Until December 18, 2010, Bing Sun, currently incarcerated at Seymour Johnson Federal Prison Camp, #51583–083, Goldsboro, North Carolina 27533, and with an address at 14026 Ticonderoga Court, Fontana, California 92336, (“the denied person”) and, when acting in behalf of it, all of its successors or assigns, officers, representatives, agent and employees, 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 which 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 Bing Sun 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 December 18, 2010.

VI. In accordance with Part 756 of the Regulations, Bing Sun may file an appeal from this Order with the Under Secretary for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Bing Sun. This Order shall be published in the **Federal Register**.

Dated: October 4, 2002.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

[FR Doc. 02–25742 Filed 10–9–02; 8:45 am]

**BILLING CODE 3510-DT-M**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Action Affecting Export Privileges; Patte Sun

In the Matter of: Patte Sun, currently incarcerated at Alderson Federal Prison Camp #16012–111, Alderson, West Virginia 24910, and with an address at 14026 Ticonderoga Court, Fontana, California 92336.

### Order Denying Export Privileges

On December 18, 2000, a U.S. District Court in the Eastern District of Virginia convicted Patte Sun of violating section 38 of the Arms Export Control Act (22 U.S.C. 2778 (1994 & Supp. V 1999)) ("AECA"). Specifically, the Court found that Patte Sun knowingly and willfully attempted to export defense articles on the United States Munitions List, from the United States to the People's Republic of China, without having first obtained from the Department of State a license or written authorization for such export.

Section 11(h) of the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C. app. 2401–2420 (1994 & Supp. V 1999)) ("Act")<sup>1</sup> provides that, at the discretion of the Secretary of Commerce,<sup>2</sup> no person convicted of violating any of a number of federal criminal statutes including the AECA shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR Parts 730–774 (2002)) ("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 the AECA, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person's export privileges for a period of up to 10 years from the date of conviction and shall also determine whether to revoke any license previously issued to such a person.

<sup>1</sup> 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 issued on August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706 (1994 & Supp. V 1999)) ("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 14, 2002 (67 FR 53721 (August 16, 2002)), has continued the Regulations in effect under IEEPA.

<sup>2</sup> Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act.

Having received notice of Patte Sun's conviction for violating the AECA, and after providing notice and an opportunity for Patte Sun to make a written submission to the Bureau of Industry and Security before issuing an Order denying her export privileges, as provided in section 766.25 of the Regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Patte Sun's export privileges for a period of eight years from the date of her conviction. The eight-year period ends on December 18, 2008. I have also decided to revoke all licenses issued pursuant to the Act in which Patte Sun had an interest at the time of her conviction.

Accordingly, it is hereby—

#### Ordered

I. Until December 18, 2008, Patte Sun, currently incarcerated at Alderson Federal Prison Camp, #16012–111, Alderson, West Virginia 24910, and with an address at 14026 Ticonderoga Court, Fontana, California 92336, ("the denied person") and, when acting in behalf of it, all of its successors or assigns, officers, representatives, agent and employees, 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. Benefitting 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 which 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 Patte Sun 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 December 18, 2008.

VI. In accordance with Part 756 of the Regulations, Patte Sun may file an appeal from this Order with the Under Secretary for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Patte Sun. This Order shall be published in the **Federal Register**.

Dated: October 4, 2002.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

[FR Doc. 02-25740 Filed 10-9-02; 8:45 am]

BILLING CODE 3510-DT-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 100202A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Recordkeeping and Reporting Requirements; Public Workshops

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of workshops.

**SUMMARY:** NMFS, Alaska Region, and the U.S. Coast Guard, North Pacific Regional Fisheries Training Center, will present workshops on the 2003 recordkeeping and reporting requirements for the Alaska groundfish fisheries and Individual Fishing Quota (IFQ) fisheries.

**DATES:** The workshops will be held November 12 and 14, 2002. See **SUPPLEMENTARY INFORMATION** for the times.

**ADDRESSES:** The workshops will be held in Seattle, WA. See **SUPPLEMENTARY INFORMATION** for the addresses.

**FOR FURTHER INFORMATION CONTACT:** Patsy A. Bearden, 907-586-7008.

**SUPPLEMENTARY INFORMATION:** The workshops will include discussion of 2003 recordkeeping and reporting requirements for IFQ fisheries and Alaska groundfish fisheries along with instructions for completion and submittal of the required forms and logsheets.

The workshops are scheduled as follows:

1. November 12, 2002, 1 p.m., Pacific standard time (P.s.t.), for vessels, 3:30 p.m., P.s.t., for shoreside processors at the NOAA Western Regional Center, Building 9, Room A/B, 7600 Sandpoint Way, N.E., Seattle, WA.

2. November 14, 2002, 1 p.m. to 2:30 p.m., P.s.t., at FISH EXPO, Room 303, Washington State Trade and Convention Center, Seattle, WA.

Tentatively, additional workshops are being considered in Unalaska, AK, Kodiak, AK, and Sitka, AK. Suggestions and recommendations on scheduling these workshops or on holding workshops at other times and places are welcome.

### Special Accommodations

These workshops will be physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Patsy Bearden, 907-586-7008, at least 7 working days prior to the meeting date.

Dated: October 3, 2002.

**Virginia M. Fay,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 02-25712 Filed 10-9-02; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 093002A]

#### Endangered Species; File No. 1361

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Return of application.

**SUMMARY:** Notice is hereby given that the application submitted by Robert K. Metzger, Metzger Wildlife Surveys, 1327 North Wheaton Drive, St. Charles, Missouri 63301, to take green, hawksbill, loggerhead, Kemp's ridley and leatherback sea turtles along the Atlantic seaboard and the Gulf of Mexico for purposes of scientific research and enhancement has been returned to the applicant.

**ADDRESSES:** The documents related to this action are available for review upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371; and

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** Lillian Becker or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On February 13, 2002 a notice was published in the **Federal Register** (67 FR 6691) that an application had been filed by Robert K. Metzger. The applicant sought an application to perform survey and relocation trawls of

sea turtles in conjunction with dredging projects of the Army Corps of Engineers. The applicant has withdrawn his application.

Dated: October 3, 2002.

**Trevor R. Spradlin,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 02-25714 Filed 10-9-02; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 082802F]

#### Endangered Species; File No. 1360

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Dr. David Secor, Chesapeake Biological Laboratory, University of Maryland Center for Environmental Science, P.O. Box 38, Solomons, Maryland 20619 has been issued a permit to take shortnose sturgeon (*Acipenser brevirostrum*) for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298; phone (978)281-9200; fax (978)281-9371; Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** Lillian Becker or Ruth Johnson, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On January 23, 2002, notice was published in the **Federal Register** (67 FR 3165) that a request for a scientific research permit to take shortnose sturgeon had been submitted by the above-named individual. The requested permit has been issued under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of