

organization being nominated and (b) explaining why the nominee should be given the award. The information will be used to determine those applicants best meeting the pre-announced selection criteria. The use of a nomination form standardizes and limits the information collected as part of the nomination process. This makes the competition fair and eases any burden on applicants and reviewers alike. Participation in the competition is voluntary. The award is strictly honorary.

II. Method of Collection

The nomination form is downloadable off of EDA's Web site and can be faxed or submitted in hard copy to EDA.

III. Data

OMB Control Number: 0610-0101.

Form Number(s): None.

Type of Review: Regular submission.

Affected Public: State, local or Tribal Government and not-for-profit institutions.

Estimated Number of Respondents: 50.

Estimated Time Per Response: 3 hours.

Estimated Total Annual Burden Hours: 150.

Estimated Total Annual Cost to Public: \$0.

IV. Request for Comments

Comments are 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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (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 through the use of automated collection techniques or other forms of information technology.

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

Dated: February 14, 2008.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E8-3159 Filed 2-20-08; 8:45 am]

BILLING CODE 3510-34-P

DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 07-00005]

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Export Trade Certificate of Review to XCC Exportz Inc. (Application No. 07-00005).

SUMMARY: On February 15, 2008, the U.S. Department of Commerce issued an Export Trade Certificate of Review to XCC Exportz Inc. ("XCC"). This notice summarizes the conduct for which certification has been granted.

FOR FURTHER INFORMATION CONTACT: Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number), or by E-mail at oetca@ita.doc.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2006).

Export Trading Company Affairs ("ETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the U.S. Department of Commerce to publish a summary of the certification in the **Federal Register**. Under section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct:

I. Export Trade

Products

All Products.

Services

All Services.

Technology Rights

Technology rights, including, but not limited to, patents, trademarks, copyrights, and trade secrets, that relate to Products and Services.

Export Trade Facilitation Services (as they relate to the export of Products, Services, and Technology Rights)

Export Trade Facilitation Services, including, but not limited to, professional services in the areas of

government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation services; and facilitating the formation of shippers' associations.

II. Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

III. Export Trade Activities and Methods of Operation

1. With respect to the sale of Products and Services, licensing of Technology Rights and provision of Export Trade Facilitation Services, XCC, subject to the terms and conditions listed below, may:

a. Provide and arrange for the provision of Export Trade Facilitation Services;

b. Engage in promotional and marketing activities and collect information on trade opportunities in the Export Markets and distribute such information to clients;

c. Enter into exclusive and/or non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights to Export Markets;

d. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;

e. Allocate export sales or divide Export Markets among Suppliers for the sale and/or licensing of Products, Services, and/or Technology Rights;

f. Allocate export orders among Suppliers;

g. Establish the price of Products, Services, and/or Technology Rights for sales and/or licensing in Export Markets;

h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights; and

i. Enter into contracts for shipping of Products to Export Markets.

2. XCC may exchange information on a one-to-one basis with individual

Suppliers regarding that Supplier's inventories and near-term production schedules for the purpose of determining the availability of Products for export and coordinating exports with distributors.

IV. Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operations, XCC, including its officers, employees or agents, will not intentionally disclose, directly or indirectly, to any Supplier (including parent companies, subsidiaries, or other entities related to any Supplier) any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. XCC will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standard of section 303(a) of the Act.

V. Definition

“Supplier” means a person who produces, provides, or sells Products, Services, and/or Technology Rights.

VI. Protection Provided by Certificate

This Certificate protects XCC and its directors, officers, and employees acting on its behalf, from private treble damage actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

VII. Effective Period of Certificate

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

VIII. Other Conduct

Nothing in this Certificate prohibits XCC from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of U.S. antitrust laws.

IX. Disclaimer

The issuance of this Certificate of Review to XCC by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion of the Secretary of Commerce or the Attorney General concerning either (a) the viability or quality of the business plans of XCC or (b) the legality of such business plans of XCC under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country.

The application of this Certificate to conduct in export trade where the U.S. Government is the buyer or where the U.S. Government bears more than half the cost of the transaction is subject to the limitations set forth in section V.(D.) of the “Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition),” 50 FR 1786 (January 11, 1985).

A copy of the certificate will be kept in the International Trade Administration’s Freedom of Information Records Inspection Facility, Room 4100, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: February 15, 2008.

Jeffrey Anspacher,

Director, Export Trading Company Affairs.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XF54

Atlantic Coastal Fisheries Cooperative Management Act Provisions; Tautog Fishery

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

ACTION: Notice of non-compliance referral.

SUMMARY: NMFS announces that on February 7, 2008, the Atlantic States Marine Fisheries Commission (Commission) found the State of New Jersey out of compliance with the Commission’s Interstate Fishery Management Plan for Tautog (ISFMP). Subsequently, the Commission referred the matter to NMFS, under delegation of authority from the Secretary of Commerce, for federal non-compliance review under the provisions of the

Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act). The Atlantic Coastal Act mandates that NMFS must review the Commission’s non-compliance referral and make specific findings within thirty (30) days after receiving the referral. If NMFS determines that New Jersey failed to carry out its responsibilities under the Tautog ISFMP, and if the measures it failed to implement are necessary for conservation, then, according to the Atlantic Coastal Act, NMFS must declare a moratorium on fishing for tautog in New Jersey waters.

DATES: NMFS intends to make a determination on this matter by March 11, 2008, and will publish its findings in the **Federal Register** immediately thereafter.

ADDRESSES: Harold C. Mears, Director, State, Federal and Constituent Programs Office, NMFS, Northeast Region, One Blackburn Drive, Gloucester, MA 01930.

FOR FURTHER INFORMATION CONTACT: Bob Ross, Fishery Management Specialist, NMFS, Northeast Region, (978) 281-9234, fax (978) 281-9117, e-mail Bob.Ross@noaa.gov.

SUPPLEMENTARY INFORMATION: Tautog (*Tautoga onitis*), often known by the common name “blackfish,” is a coastal fish species ranging from Nova Scotia to South Carolina, but most abundant from the southern Gulf of Maine (lower Massachusetts Bay and southern Cape Cod Bay) to Chesapeake Bay. The Commission manages this species according to its Tautog ISFMP. The Commission’s Tautog ISFMP can be located at <http://www.asmfc.org>, (select “Interstate Fishery Management,” then select “Tautog.”)

The Commission Tautog ISFMP—specifically Addendum IV and Addendum V to the ISFMP—indicate that states need to implement measures that would reduce their tautog landings by 25.6% in order to respond to scientific concerns that tautog is being overfished. New Jersey’s Marine Fishery Council, however, in November 2007 refused to implement any further measures causing the Commission on February 7, 2008, to vote that New Jersey was out of compliance with the Tautog ISFMP. The Commission subsequently referred its non-compliance finding to NMFS.

Federal response to a Commission non-compliance referral is governed by the Atlantic Coastal Act. Under the Atlantic Coastal Act, the Secretary of Commerce must make two (2) findings within 30 days after receiving the non-compliance referral. First, the Secretary of Commerce must determine whether