

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 Montgomery 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 January 22, 2009.

VI. In accordance with Part 756 of the Regulations, Montgomery may file an appeal from this Order with the Under Secretary for Export Administration. 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 Montgomery. This Order shall be published in the **Federal Register**.

Dated: September 11, 2000.

**Eileen M. Albanese,**

*Director, Office of Exporter Services.*

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### Action Affecting Export Privileges; Oscar Osman; Order Denying Export Privileges

On September 23, 1999, Oscar Osman (Osman) was convicted in the United

States District Court for the Southern District of Florida of violating the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app. 2401-2420 (1991 & Supp. 2000)) (the Act).<sup>1</sup> Specifically, Osman was convicted of knowingly, willfully and unlawfully exporting and causing to be exported a container of goods to Rio Haina, Dominican Republic under a false bill of lading, container of goods was then transshipped to Havana, Cuba.

Section 11(h) of the Act provides that, at the discretion of the Secretary of Commerce,<sup>2</sup> no person convicted of violating the Act, or certain other provisions of the United States Code, 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 (2000), as amended (65 FR 14862, March 20, 2000)) (the 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 Act, 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 Osman's conviction for violating the Act, and after providing notice and opportunity for Osman to make a written submission to the Bureau of Export Administration 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 Osman's export privileges for a period of seven years from the date of his conviction. The seven-year period ends on September 23, 2006. I have also

<sup>1</sup> The Act expired on August 20, 1994, Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), which has been extended by successive Presidential Notices, the most recent being that of August 3, 2000 (65 FR 48347, August 8, 2000), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. 1701-1706 (1991 & Supp. 2000)).

<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.

decided to revoke all licenses issued pursuant to the Act in which Osman had an interest at the time of his conviction.

*Accordingly, it is hereby Ordered*

I. Until September 23, 2006, Oscar Osman, currently incarcerated at: Spectrum Program CCC, #61204-004, 101 N.W. 59th Street, Miami, Florida 33127, and with an address at: 2655 Collins Avenue, Apt. 1811, Miami Beach, Florida 33140, 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, 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 Osman 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 September 23, 2006.

VI. In accordance with Part 756 of the Regulations, Osman may file an appeal from this Order with the Under Secretary for Export Administration. 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 Osman. This Order shall be published in the **Federal Register**.

Dated: September 11, 2000.

**Eileen M. Albanese**,

*Director, Office of Exporter Services.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Announcement of the American Petroleum Institute's Standards Activities

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice of intent to develop or revise standards and request for public comment and participation in standards development.

**SUMMARY:** The American Petroleum Institute (API), with the assistance of other interested parties, continues to develop standards, both national and international, in several areas. This notice lists the standardization efforts currently being conducted by API committees. The publication of this notice by the National Institute of Standards and Technology (NIST) on behalf of API is being undertaken as a public service. NIST does not necessarily endorse, approve, or recommend the standards referenced.

**ADDRESSES:** American Petroleum Institute, 1220 L Street, NW., Washington, DC 20005; telephone (202) 862-8000.

**FOR FURTHER INFORMATION CONTACT:** All contact individuals listed in the supplementary information section of this notice may be reached at the American Petroleum Institute.

#### SUPPLEMENTARY INFORMATION:

##### Background

The American Petroleum Institute develops and publishes voluntary standards for equipment, operations, and processes. These standards are used by both private industry and by governmental agencies. All interested persons should contact the appropriate source as listed for further information.

##### Pipeline Committee

New (1160) Pipe Integrity in High Consequence Areas (HCAs)

New (1133) Guidelines for Onshore Hydrocarbon Pipelines Crossing Floodplains

1109 Marking Liquid Petroleum Pipeline Facilities

1129 Assurance of Hazardous Liquid Pipeline System Integrity

##### FOR FURTHER INFORMATION CONTACT:

Andrea Johnson, Standards and Training Resource Group, email: johnsona@api.org.

##### Committee on Marketing

New Recommended Practice on Loading and Unloading of MC 306/ DOT 406 Tank Motor Vehicles

New (1582) Similarity Calculations and Software for Aviation Jet Fuel Filter/Separators

2610 Design, Construction, Operation, Maintenance, and Inspection of Terminal and Tank Facilities

1621 Bulk Liquid Stock Control at Retail Outlets

1584 Four-inch Aviation Hydrant System

1004 Bottom Loading and Vapor Recovery for MC-306 Tank Motor Vehicles

2510 Design and Construction of Liquefied Petroleum Gas Installations

1501 Recommended Practice for Retail or Consumer Aviation Fueling Facilities

1560 Lubricant Service Designations for Automotive Manual Transmissions, Manual Transaxles, and Axles

1631 Interior Lining of Underground Storage Tanks

##### FOR FURTHER INFORMATION CONTACT:

David Soffrin, Standards and Training Resource Group, email: soffrind@api.org.

##### Committee on Refining

New (577) Welding Inspection and Metallurgy

New (580) Risk Based Inspection

New (621) Reconditioning of Metallic Gate, Globe, and Check Valves

New (687) Repair of Special Purpose Rotors

New (934) Materials and Fabrication Requirements for 2 1/4 CR & 3Cr Steel Heavy Wall Pressure Vessels for High Temperature, High Pressure Hydrogen Service

New Standard on Lightning Protection for Storage Tanks

510 Pressure Vessel Inspection Code

570 Piping Inspection Code

575 Inspection of Atmospheric & Low Pressure Storage Tanks

530 Calculation of Heater Tube Thickness in Petroleum Refineries

560 Fired Heaters for General Refinery Service

662 Plate Heat Exchanger Specification Sheets for General Refinery Service

534 Heat Recovery Steam Generator Burners for Fired heaters in General Refinery Service

599 Metal Plug Valves-Flanged and Welding Ends

603 Class 150, Cast, Corrosion-Resistant, Flanged-End Gate Valves

598 Valve Inspection and Testing

602 Compact Steel Gate Valves-Flanged, Threaded, Welding and Extended Body Ends

608 Metal Ball Valves-Flanged, Threaded, and Butt-Welding Ends

620 Design and Construction of Large, Welded, Low-Pressure Storage Tanks

650 Welded Steel Ranks for Oil Storage

653 Tank Inspection, Repair, Alteration, and Reconstruction

610 Centrifugal Pumps for Petroleum, Chemical, and Heavy Duty Chemical and Gas Industry Services

617 Centrifugal Compressors for petroleum, Chemical and Gas Industry Services