

In survey years 2018 and 2019, only a sample of multi-establishment and single-location companies will receive Report of Organization inquiries.

Form NC-99001 is directed to multi-establishment location enterprises during census and non-census years. For census years, however, only establishments with industry classifications that are out-of-scope of the economic census will receive this questionnaire. In-scope establishments will receive these inquiries through the Economic Census questionnaires. We ask questions on ownership or control by a domestic parent, ownership or control by a foreign parent, and ownership of foreign affiliates; research and development; company activities such as employees from a professional employer organization. Establishment inquiries include questions on operational status, mid-March employment, first-quarter payroll, and annual payroll of establishments. Beginning with the 2017 collection, a new question regarding cooperative organization status will be included in the instrument but respondents will no longer receive inquiries pertaining to the Enterprise Statistics Program as the program has been suspended.

During the 2018 and 2019 Report of Organization collection, the Census Bureau will use Form NC-99007 to collect data from large single-location enterprises that may have added some locations. The NC-99007 questionnaire is not applicable to economic census collections.

The information collected by the Report of Organization is used to maintain and update the BR. The BR serves two fundamental purposes:

- First and most important, the BR provides sampling populations and enumeration lists for the Census Bureau's economic surveys and censuses. Essential for this purpose is the BR's ability to identify all known United States business establishments and their parent companies. Further, the BR must accurately record basic business attributes needed to control sampling and enumeration. These attributes include industry and geographic classifications, measures of size and economic activity, ownership characteristics, and contact information (for example, name and address).

- Second, the BR provides establishment data that serve as the basis for the annual County Business Patterns (CBP) statistical series. The CBP reports present data on number of establishments, first quarter payroll, annual payroll, and mid-March employment summarized by industry and employment size class for the

United States, the District of Columbia, island areas, counties, and county-equivalents. No other annual or more frequent series of industry statistics produced by the Census Bureau provides comparable detail, particularly for small geographic areas.

*Affected Public:* Business or other for-profit; Not-for-profit institutions; Farms; State, local or tribal government.

*Frequency:* Annually.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* The 2017-2019 Report of Organization will be conducted under the provisions of Title 13 of the United States Code, Sections 131 and 182. Sections 224 and 225 make the survey mandatory.

This information collection request may be viewed at [www.reginfo.gov](http://www.reginfo.gov). Follow the instructions to view Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) or fax to (202) 395-5806.

**Sheleen Dumas,**

*Departmental PRA Lead, Office of the Chief Information Officer.*

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## DEPARTMENT OF COMMERCE

### Office of the Secretary

#### Membership of the Performance Review Board for the Office of the Secretary

**AGENCY:** Office of the Secretary, Department of Commerce.

**ACTION:** Notice of Membership on the Office of the Secretary Performance Review Board.

**SUMMARY:** The Office of the Secretary, the Department of Commerce (DOC), announces the appointment of those individuals who have been selected to serve as members of the Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and ratings of Senior Executive Service (SES) members and Senior Level (SL) members and (2) making recommendations to the appointing authority on other performance management issues, such as pay adjustments, bonuses and Presidential Rank Awards. 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 the Office of the Secretary Performance Review Board begins on October 20, 2017.

**FOR FURTHER INFORMATION CONTACT:** Joan Nagielski, U.S. Department of Commerce, Office of Human Resources Management, Department of Commerce Human Resources Operations Center, Office of Employment and Compensation, 14th and Constitution Avenue NW., Room 50013, Washington, DC 20230, at (202) 482-6342.

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

*Dates:* The name, position title, and type of appointment of each member of the Performance Review Board are set forth below:

1. Brian DiGiacomo, Assistant General Counsel for Employment, Litigation, and Information Law, Career SES
2. John Cobau, Chief Counsel for International Commerce, Career SES
3. Brian Lenihan, Deputy Assistant Secretary for Legislative and Intergovernmental Affairs, Noncareer SES
4. Byron Adkins, Deputy Director for Facilities and Environmental Quality, Career SES
5. Holly Vineyard, Deputy Assistant Secretary for Global Markets, Career SES
6. Stephen Kong, Chief Counsel for Economic Development, Career SES
7. Eric Branstad, Senior White House Advisor, Noncareer SES
8. Sarah Helen "Sally" Thompson, Deputy Director, Career SES

Dated: October 17, 2017.

**Joan M. Nagielski,**

*Human Resources Specialist, Office of Employment and Compensation, Department of Commerce Human Resources Operations Center, Office of Human Resources Management, Office of the Secretary, Department of Commerce.*

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## DEPARTMENT OF COMMERCE

### Economic Development Administration

### National Telecommunications and Information Administration

### Bureau of Industry and Security

### Membership of the Performance Review Board for EDA, NTIA and BIS

**AGENCY:** EDA, NTIA and BIS, Department of Commerce.

**ACTION:** Notice of Membership on the EDA, NTIA and BIS's Performance Review Board.

**SUMMARY:** The EDA, NTIA and BIS, Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of the Performance Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and ratings of Senior Executive Service (SES) members and Senior Level (SL) 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 and SL 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, NTIA and BIS's Performance Review Board begins on October 20, 2017.

**FOR FURTHER INFORMATION CONTACT:** Joan Nagielski, U.S. Department of Commerce, Office of Human Resources Management, Department of Commerce Human Resources Operations Center, Office of Employment and Compensation, 14th and Constitution Avenue NW., Room 50013, Washington, DC 20230, at (202)482-6342.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 U.S.C. 4314(c)(4), the EDA, NTIA and BIS, Department of Commerce (DOC), announce the appointment of those individuals who have been selected to serve as members of EDA, NTIA and BIS's Performance

Review Board. The Performance Review Board is responsible for (1) reviewing performance appraisals and ratings of Senior Executive Service (SES) and Senior Level (SL) 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 and SL members. The Appointment of these members to the Performance Review Board will be for a period of twenty-four (24) months.

*Dates:* The name, position title, and type of appointment of each member of the Performance Review Board are set forth below:

1. *Department of Commerce, Bureau of Industry and Security (BIS)*, Carol Rose, Chief Financial Officer and Director of Administration, Career SES
2. *Department of Commerce, National Telecommunications and Information Administration (NTIA)*, Paige Atkins, Associate Administrator for Spectrum Management, Career SES
3. *Department of Commerce, Economic Development Agency (EDA)*, Gregory Brown, Chief Financial Officer and Chief Administrative Officer, Career SES
4. *Department of Commerce, National Telecommunications and Information Administration (NTIA)*, Frank Freeman, Chief Administrative Officer, First Responder Network Authority, Career SES
5. *Department of Commerce, Minority Business Development Agency (MBDA)*, Christopher Garcia, Deputy Director, Noncareer SES

Dated: October 17, 2017.

**Joan M. Nagielski,**

*Human Resources Specialist, Office of Employment and Compensation, Department of Commerce Human Resources Operations Center, Office of Human Resources Management, Office of the Secretary, Department of Commerce.*

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

### In the Matter of: Adrian Manuel Hernandez, 3037 S. 69th Drive, Phoenix, AZ 85043; Order Denying Export Privileges

On October 13, 2015, in the U.S. District Court for the District of Arizona, Adrian Manuel Hernandez

(“Hernandez”) was convicted of violating Section 38 of the Arms Export Control Act (22 U.S.C. 2778 (2012)) (“AECA”). Specifically, Hernandez was convicted of knowingly and willfully exporting, aiding and abetting the export of, and causing to be exported from the United States to Mexico one or more firearms designated as defense articles on the United States Munition List, without the required U.S. Department of State licenses. Hernandez was sentenced to five years of probation and a \$100 assessment.

Section 766.25 of the Export Administration Regulations (“EAR” or “Regulations”)<sup>1</sup> provides, in pertinent part, that “[t]he Director of the Office of Exporter Services, in consultation with the Director of the Office of Export Enforcement, may deny the export privileges of any person who has been convicted of a violation of the EAA [Export Administration Act], the EAR, or any order, license, or authorization issued thereunder; any regulation, license or order issued under the International Emergency Economic Powers Act (50 U.S.C. 1701–1706); 18 U.S.C. 793, 794 or 798; section 4(b) of the Internal Security Act of 1950 (50 U.S.C. 783(b)); or section 38 of the Arms Export Control Act (22 U.S.C. 2778).” 15 CFR 766.25(a); *see also* Section 11(h) of the EAA, 50 U.S.C. 4610(h). The denial of export privileges under this provision may be for a period of up to 10 years from the date of the conviction. 15 CFR 766.25(d); *see also* 50 U.S.C. 4610(h). In addition, Section 750.8 of the Regulations states that the Bureau of Industry and Security's Office of Exporter Services may revoke any Bureau of Industry and Security (“BIS”) licenses previously issued pursuant to the Export Administration Act (“EAA” or “the Act”) or the Regulations in which the person had an interest at the time of his/her conviction.

BIS has received notice of Hernandez's conviction for violating Section 38 of the AECA, and has provided notice and an opportunity for Hernandez to make a written submission to BIS, as provided in Section 766.25 of the Regulations. BIS

<sup>1</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730–774 (2017). The Regulations issued pursuant to the Export Administration Act (50 U.S.C. 4601–4623 (Supp. III 2015) (available at <http://uscode.house.gov>)) (“EAA” or “the Act”). 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, 2017 (82 FR 39005 (Aug. 16, 2017)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.* (2012)).