

amended, this notice announces a computer matching program that SSA plans to conduct.

DATES: SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may comment on this notice by either telefax to (410) 966-5138, or writing to the Acting Associate Commissioner for Program Support, 2-Q-16 Operations Building 6401 Security Boulevard, Baltimore, MD 21235.

All comments received will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Associate Commissioner for Program Support as shown above.

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), amended the Privacy Act (5 U.S.C. 552a) by describing the manner in which computer matching involving records of Federal agencies could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such individuals. The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State or local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain the approval of the match agreements by the Data Integrity Boards of the participating Federal Agencies.
- (3) Furnish detailed reports about matching programs to Congress and OMB;
- (4) Notify applicants and beneficiaries that their records are subject to matching; and
- (5) Verify match findings before reducing, suspending, terminating or denying an individual's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of SSA's computers matching programs comply with the requirements of the Privacy Act, as amended.

Dated: February 25, 2002.

Frederick G. Strekewald,
Assistant Deputy Commissioner for Disability, and Income Security Programs.

Notice of Computer Matching Program, Department of Veteran Affairs (VA) With Social Security Administration (SSA).

A. Participating Agencies

SSA and VA.

B. Purpose of the Matching Program

To identify certain Supplemental Security Income (SSI) and Special Veterans Benefit (SVB) recipients under title XVI and title VIII of the Social Security Act ("Act") respectively, who receive VA-administered benefits, and to update their SSI/SVB records to reflect the presence of such payments. To determine under section 1144 of the Act, potential eligibility for Medicare Savings Programs (MSP) and enable SSA, in turn, to identify these individuals to the States.

C. Authority for Conducting the Matching Programs

The legal authority for SSA to conduct this matching activity is contained in sections 1631(e)(1)(B) and 1631(f) of the Act, 42 U.S.C. 1383(e)(1)(B) and 1383(f) (SSI), section 806(b) of the Act, 42 U.S.C. 1006(b)(SVB) and section 1144 of the Act, 42 U.S.C 1320b-14.

D. Categories of Records and Individuals Covered by the Matching Program

The VA will provide SSA with electronic files containing compensation and pension data from its system of records entitled Compensation and Pension, Education and Rehabilitation Records—VA (58VA21/22). SSA will then match VA's data with SSI/SVB payment information maintained in the SSR SSA/OSR 60-0103.

E. Inclusive Dates of the Match

The matching program shall become effective 40 days after notice of this matching program is sent to Congress and OMB or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be

extended for an additional 12 months thereafter, if certain conditions are met.

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DEPARTMENT OF STATE

[Public Notice 3937]

Notice of Proposal to Extend U.S.-Mali Agreement

AGENCY: Department of State.

ACTION: Notice.

Pursuant to the authority vested in me under Department of State Delegation of Authority No. 236-3, and pursuant to 19 U.S.C. 2602(f)(1), I hereby propose extension of the Agreement between the Government of the United States of America and the Government of the Republic of Mali Concerning the Imposition of Import Restrictions on Archaeological Material from the Region of the Niger River Valley and the Bandiagara Escarpment, signed on September 19, 1997. Pursuant to 19 U.S.C. 2602(f)(2), the views and recommendations of the Cultural Property Advisory Committee will be requested.

A copy of this Memorandum of Understanding, the designated list of restricted categories of material, and related information can be found at the following web site: <http://exchanges.state.gov/education/culprop>.

Dated: February 26, 2002.

Patricia S. Harrison,

Assistant Secretary for Educational and Cultural Affairs, Department of State.

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DEPARTMENT OF STATE

[Public Notice 3935]

Bureau of Political-Military Affairs; Statutory Debarment Under the International Traffic in Arms Regulations

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of State has imposed statutory debarment pursuant to § 127.7(c) of the International Traffic in Arms Regulations ("ITAR") (22 CFR 120 to 130) on persons convicted of violating or conspiring to violate section 38 of the Arms Export Control Act ("AECA") (22 U.S.C. 2778).

EFFECTIVE DATE: Date of conviction as specified for each person.

FOR FURTHER INFORMATION CONTACT:

David Trimble, Chief, Compliance Division, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 633-2700.

SUPPLEMENTARY INFORMATION: Section 38(g)(4) of the AECA, 22 U.S.C. 2778, prohibits licenses and other approvals for the export of defense articles or defense services to be issued to a person, or any party to the export, who has been convicted of violating certain U.S. criminal statutes, including the AECA.

In implementing this section of the AECA, the Assistant Secretary of State for Political-Military Affairs is authorized by § 127.7 of the ITAR to prohibit any person who has been convicted of violating or conspiring to violate the AECA from participating directly or indirectly in the export of defense articles, including technical data or in the furnishing of defense services for which a license or approval is required. This prohibition is referred to as "statutory debarment".

Statutory debarment is based solely upon conviction in a criminal proceeding, conducted by a United States court, and as such the administrative debarment proceedings outlined in part 128 of the ITAR are not applicable.

The period for debarment will normally be three years from the date of conviction. At the end of the debarment period, licensing privileges may be reinstated at the request of the debarred person following the necessary interagency consultations, after a thorough review of the circumstances surrounding the conviction, and a finding that appropriate steps have been taken to mitigate any law enforcement concerns, as required by section 38(g)(4) of the AECA and in accordance with section 127.11(b) of the ITAR. Unless licensing privileges are reinstated, the person/entity will remain debarred.

Department of State policy permits debarred persons to apply to the Director of the Office of Defense Trade Controls for an exception from the period of debarment beginning one year after the date of the debarment, in accordance with section 38(g)(4)(A) of the AECA and § 127.11(b) of the ITAR. Any decision to grant an exception can be made only after the statutory requirements under section 38(g)(4) of the AECA have been satisfied. If the exception is granted, the debarment will be suspended.

Debarred persons are generally ineligible to participate in activity regulated under the ITAR (see e.g.,

sections 120.1(c) and (d), 126.7, 127.1(c), and 127.11(a)). The Department of State will not consider applications for licenses or requests for approvals that involve any person or any party to the export who has been convicted of violating or of conspiring to violate the AECA during the period of statutory debarment. Persons who have been statutorily debarred may appeal to the Under Secretary for Arms Control and International Security for reconsideration of the ineligibility determination. A request for reconsideration must be submitted in writing within 30 days after a person has been informed of the adverse decision, in accordance with 22 CFR 127.7(d) and 128.13(a).

Pursuant to section 38 of the AECA and section 127.7 of the ITAR, the following persons have been statutorily debarred by the Assistant Secretary of State for Political-Military Affairs for a period of three years following their conviction for AECA:

(1) A & C International Trade, Inc., April 13, 2000, U.S. District Court of Washington, D.C., Docket # 99-CR-21-ALL.

(2) John Raymond Thompson, October 28, 1999, U.S. District Court, Central District of California, Western Division, Docket # 98-CR-708-ALL.

(3) Daniel A. Malloy, March 4, 1999, U.S. District Court of Newark, New Jersey, Docket # 98-CR-177-ALL.

(4) Shalom Shaphyr, October 4, 1999, U.S. District Court, Eastern District of Virginia (Alexandria), Docket # 99-CR-288-ALL.

(5) Siraj International, Inc., February 17, 2000, U.S. District Court, Eastern District of Wisconsin (Milwaukee), Docket # 98-CR-189-ALL.

(6) Gia An Du a.k.a. Anthony Huynh, a.k.a. Simon Du, a.k.a. Gia Simon Du, March 2, 1999, U.S. District Court, District of Maryland (Baltimore), Docket # 98-CR-462-ALL.

(7) Michael Nathan Kitundu, November 10, 1999, U.S. District Court, Eastern District of Virginia (Alexandria), Docket # 99-CR-278-ALL.

(8) Morris Rothenberg & Son, Inc. d.b.a. Rothco, July 19, 1999, U.S. District Court, Eastern District of New York (Uniondale), Docket # 99-CR-564-ALL.

(9) Far East Trading Company, Inc. a.k.a. FETCO, Inc., U.S. District Court, Eastern District of Virginia (Alexandria) Docket # 01-CR-119-ALL.

This notice is provided in order to make the public aware that the persons listed above are prohibited from participating directly or indirectly in any brokering activities and in any export from or temporary import into

the United States of defense articles, related technical data, or defense services in all situations covered by the ITAR. Specific case information may be obtained from the Office of the Clerk for each respective US District Court, citing the court docket number where provided.

Exceptions may be made to this denial policy on a case-by-case basis at the discretion of the Office of Defense Trade Controls pursuant to 22 CFR 126.3. However, such an exception would be granted only after a full review of all circumstances, paying particular attention to the following factors: whether an exception is warranted by overriding U.S. foreign policy or national security interest; whether an exception would further law enforcement concerns which are not inconsistent with the foreign policy or national security interests of the United States; or whether other compelling circumstances exist which are not inconsistent with the foreign policy or national security interests of the United States, and which do not conflict with law enforcement concerns.

This notice involves a foreign affairs function of the United States encompassed within the meaning of the military and foreign affairs exclusion of the Administrative Procedure Act. Because the exercise of this foreign affair function is discretionary, it is excluded from review under the Administrative Procedure Act.

Dated: January 3, 2002.

William J. Lowell,

Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State.

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DEPARTMENT OF STATE

[Public Notice 3936]

Notice of Meeting of the Cultural Property Advisory Committee

AGENCY: Department of State.

ACTION: Notice.

The Cultural Property Advisory Committee will meet on Monday and Tuesday, April 15 and 16, from approximately 9 a.m. to 5 p.m.; and on Wednesday, April 17, from approximately 9 a.m. to 2 p.m., at the Department of State, Annex 44, Room 840, 301 4th St., SW., Washington, DC, to review the proposals to extend: (1) the "Agreement between the Government of the United States of America and the Government of the