

Scibetta will be assessed, in addition to the full amount of the civil penalty and interest, a penalty charge and an administrative charge, as more fully described in the attached Notice.

Third, that the timely payment of the civil penalty set forth above is hereby made a condition to the granting, restoration, or continuing validity of any export license, license exception, permission, or privilege granted, or to be granted, to Scibetta. Accordingly, if Scibetta should fail to pay the civil penalty in a timely manner, the undersigned may enter an Order denying Scibetta's export privileges for a period of one year from the date of entry of this Order.

Fourth, that for a period of 20 years from the date of entry of the Order, Mr. Lawrence Scibetta, 137 Southwest Carter Avenue, Port St. Lucie, Florida 34983, and when acting for or on his behalf, his representatives, agents, assigns or employees ("Denied Person") may not participate, directly or indirectly, 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.

Fifth, that 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 that is 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.

Sixth, that 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.

Seventh, that, after notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Scibetta by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

Eighth, that the charging letter, the Settlement Agreement, this Order, and the record of this case as defined by Section 766.20 of the Regulations shall be made available to the public.

Ninth, that the administrative law judge shall be notified that this case is withdrawn from adjudication.

Tenth, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 14th day of August 2006.

Wendy L. Wysong,

Acting Assistant Secretary of Commerce for Export Enforcement.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-570-886

Polyethylene Retail Carrier Bags from the People's Republic of China: Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: August 23, 2006.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Matthew Quigley, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-4243 or (202) 482-4551, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 28, 2005, the Department of Commerce ("the Department") published in the **Federal Register** a notice of initiation of the antidumping duty administrative review of Polyethylene Retail Carrier Bags ("PRCBs") from the People's Republic of China ("PRC") for the period January 26, 2004, through July 31, 2005. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 70 FR 56631 (September 28, 2005).

Extension of Time Limit for Preliminary Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order for which a review is requested. Section 751(a)(3)(A) of the Act further states that, if it is not practicable to complete the review within the time specified, the administering authority may extend the 245-day period to issue its preliminary results by up to 120 days. On April 27, 2006, the Department published in the **Federal Register** a notice extending the deadline by 110 days. See *Polyethylene Retail Carrier Bags from the People's Republic of China: Extension of Time Limit for the Preliminary Results of Antidumping Duty Administrative Review*, 71 FR 24840 (April 27, 2006). The preliminary results of review are currently due no later than August 21, 2006. Because the Department needs additional time to analyze a significant

amount of information pertaining to each company's sales practices, factors of production, corporate relationships, and to review responses to supplemental questionnaires, we are extending the time period for issuing the preliminary results of review by an additional 10 days until August 31, 2006, in accordance with section 751(a)(3)(A) of the Act. The final results continue to be due 120 days after the publication in the **Federal Register** of the preliminary results of review.

Dated: August 17, 2006.

Gary Taverman,

Acting Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 081606B]

Endangered and Threatened Species; Recovery Plans

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Commerce.

ACTION: Notice of Availability; request for comments.

SUMMARY: The National Marine Fisheries Service (NMFS) announces the availability for public review of the draft updated Recovery Plan (Plan) for the U.S. Distinct Population Segment (DPS) of smalltooth sawfish (*Pristis pectinata*). NMFS is soliciting review and comments from the public and all interested parties on the draft Plan, and will consider all substantive comments received during the review period before submitting the Plan for final approval.

DATES: Comments on the draft Plan must be received by close of business on *October 23, 2006*.

ADDRESSES: Send written comments to Smalltooth Sawfish Coordinator. Comments may be submitted by:

- E-mail: *smalltooth sawfish.recoveryplan@noaa.gov*, include in the subject line the following document identifier: Smalltooth Sawfish Recovery Plan. E-mail comments, with or without attachments, are limited to 5 megabytes;

- Smalltooth Sawfish Coordinator, NMFS, Southeast Regional Office, Protected Resources Division, 263 13th Avenue South, St. Petersburg, Florida 33071; or

- Fax: (727) 824-5309. Interested persons may obtain the Plan for review from the above address or on-line from <http://www.nmfs.noaa.gov/pr/recovery/plans.htm>.

FOR FURTHER INFORMATION CONTACT:

Shelley Norton, (727) 824-5312, or by e-mail *Shelley.Norton@noaa.gov*.

SUPPLEMENTARY INFORMATION: The Endangered Species Act of 1973 (15 U.S.C. 1531 *et seq.*; ESA) requires that NMFS develop and implement recovery plans for the conservation and survival of threatened and endangered species under its jurisdiction, unless it is determined that such plans would not promote the conservation of the species. Section 4(f) of the ESA, as amended in 1988, requires that public notice and opportunity to review and comment be provided during recovery plan development.

The U.S. DPS of smalltooth sawfish (*Pristis pectinata*) was listed as endangered under the ESA on April 1, 2003 (68 FR 15680) subsequent to a 1999 listing petition from The Ocean Conservancy (formerly the Center for Marine Conservation). Smalltooth sawfish were once prevalent throughout Florida and were commonly encountered from Texas to North Carolina. Currently, smalltooth sawfish can only be found with any regularity in south Florida between the Caloosahatchee River and the Florida Keys.

The draft recovery plan for the U.S. DPS of smalltooth sawfish was prepared for NMFS by the smalltooth sawfish recovery team. The team is composed of nine members from Federal, State, non-governmental, and non-profit organizations. The goal of the recovery plan is to rebuild and assure the long-term viability of the U.S. DPS of smalltooth sawfish in the wild, allowing initially for reclassification from endangered to threatened status (downlisting) and ultimately to recovery and subsequent removal from the List of Endangered and Threatened Wildlife (delisting). NMFS will consider all substantive comments and information presented during the public comment period in the course of finalizing this Plan.

Dated: August 17, 2006.

Maria Boroja,

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 071406A]

Small Takes of Marine Mammals Incidental to Specified Activities; Seismic Surveys in the Chukchi Sea off Alaska

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

ACTION: Notice of Issuance of an Incidental Harassment Authorization.

SUMMARY: In accordance with regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that an Incidental Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to conducting marine geophysical seismic surveys, on oil and gas lease blocks located on Outer Continental Shelf (OCS) waters in the Chukchi Sea, has been issued to GX Technology of Houston, Texas (GXT).

DATES: Effective from August 15, 2006, through December 31, 2006.

ADDRESSES: The application, a list of references used in this document, and/or the IHA are available by writing to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225, or by telephoning one of the contacts listed here. A copy of the application, the IHA and/or the research monitoring plan is also available at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#iha>.

A copy of the Minerals Management Service's (MMS) Programmatic Environmental Assessment (PEA) is available on-line at: http://www.mms.gov/alaska/ref/pea_be.htm

Documents cited in this document, that are not available through standard public (inter-library loan) access, may be viewed, by appointment, during regular business hours at this address.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources, NMFS, (301) 713-2289, ext 128.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not