

that during the period between on or about October 27, 1999 and on or about February 23, 2000, MAMG engaged in conduct prohibited by the Regulations when it transferred an uncooled infrared camera, an item subject to the Regulations, to an individual from the United Arab Emirates in violation of a BIS license condition. The BIS license that authorized the export of the camera from the United States to MAMG prohibited the resale, transfer, or reexport of the camera to anyone other than the approved end-users on the license without prior authorization by the U.S. Government. In transferring the camera to a non-approved end-user without prior U.S. Government authorization, MAMG committed one violation of § 764.2(a) of the Regulations.

The charging letter further alleged that during the period on or about October 27, 1999 and on or about February 23, 2000, MAMG transferred an uncooled infrared camera, an item subject to the Regulations, to an individual from the United Arab Emirates with knowledge or reason to know that a violation would subsequently occur in connection with the item. Specifically, at the time MAMG transferred the camera, it knew or had reason to know that the BIS license authorizing the export of the camera from the United States to MAMG prohibited the resale, transfer, or reexport of the camera by MAMG to any entity other than those listed on the license as approved end-users without prior U.S. Government authorization. In transferring the camera with such knowledge, MAMG committed one violation of § 764.2(e) of the Regulations.

#### D. Penalty Recommendation

#### [REDACTED SECTION]

#### E. Conclusion

Accordingly, I am referring this Recommended Decision and Order to the Under Secretary of Commerce for Industry and Security for review and final action for the agency, without further notice to the Respondent, as provided in § 766.7 of the Regulations.

Within thirty (30) days after receipt of this Recommended Decision and Order, the Under Secretary shall issue a written order affirming, modifying, or vacating the Recommended Decision and Order. See 15 CFR 766.22(c).

Done and Dated August 30th, 2006.

**Joseph N. Ingolia,**

*Chief Administrative Law Judge.*

[FR Doc. 06-8067 Filed 9-21-06; 8:45 am]

BILLING CODE 3510-33-M

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

#### Deemed Export Advisory Committee; Notice of Partially Closed Meeting

The Deemed Export Advisory Committee (DEAC) will meet on October 12, 2006, 9 a.m., in the main lobby of the Herbert C. Hoover Building, 14th Street between Constitution and Pennsylvania Avenues, NW., Washington, DC. The Committee shall advise the Secretary on deemed export licensing policy. A tentative agenda of topics for discussion is listed below. While these topics will likely be discussed, this list is not exhaustive and there may be discussions on other related items during the public session.

#### October 12

##### Public Session

1. Introductory Remarks.
2. Current Deemed Export Control Policy Issues.
3. Technology Transfer Issues.
4. U.S. Industry Competitiveness.
5. U.S. Academic and Government Research Communities.

##### Closed Session

6. Discussion of matters determined to be exempt from the provisions relating to public meetings found in 5 U.S.C. app.2 §§ 10(a)(1) and 10(a)(3).

A limited number of seats will be available for the public session. Reservations are not accepted. To the extent time permits, members of the public may present oral statements to the Committee.

The public may submit written statements at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that public presentation materials or comments be forwarded before the meeting to Ms. Yvette Springer at [Yspringer@bis.doc.gov](mailto:Yspringer@bis.doc.gov).

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 14, 2006, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. app.2 § (10)(d)), that the portion of the meeting dealing with matters that are (A) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (B) in fact properly classified pursuant to such Executive order (5 U.S.C. 552b(c)(1)(A) and (1)(B)), shall be exempt from the provisions

relating to public meetings found in 5 U.S.C. app.2 §§ 10(a)(1) and 10(a)(3). The remaining portions of the meeting will be open to the public.

For more information, call Yvette Springer at (202) 482-4814.

Dated: September 19, 2006.

**Yvette Springer,**

*Committee Liaison Officer.*

[FR Doc. 06-8068 Filed 9-21-06; 8:45 am]

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## DEPARTMENT OF COMMERCE.

### International Trade Administration

[A-427-801]

#### Ball Bearings and Parts Thereof from France: Notice of Court Decision Not in Harmony

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

**SUMMARY:** On September 1, 2006, the United States Court of International Trade affirmed in part and struck in part the Department of Commerce's redetermination on remand of the final results of the administrative review of the antidumping duty order on ball bearings and parts thereof from France. See *SKF USA Inc., SKF France S.A., and Sarma v. United States*, Court No. 03-00490, slip op. 06-133 (CIT 2006). The Department is now issuing this notice of court decision not in harmony with the Department's determination.

**EFFECTIVE DATE:** September 22, 2006.

**FOR FURTHER INFORMATION CONTACT:** Yang Jin Chun or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5760 or (202) 482-4477, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 16, 2003, the Department of Commerce (the Department) published the final results of the administrative review of the antidumping duty order on ball bearings and parts thereof from France for the period May 1, 2001, through April 30, 2002. See *Ball Bearings and Parts Thereof from France, et al.; Final Results of Antidumping Duty Administrative Reviews, Rescission of Administrative Reviews in Part, and Determination Not to Revoke Order in Part*, 68 FR 35623 (June 16, 2003). SKF France S.A., SKF USA Inc., and Sarma (hereafter "SKF") filed a lawsuit challenging the final results. On August 24, 2005, the United States

Court of International Trade (CIT) ordered the Department to re-evaluate and re-examine its decision by providing evidentiary support for using partial adverse facts available unrelated to SKF's alleged failure to offer evidence at verification or, in the alternative, to recalculate SKF's margin using SKF's own information. See *SKF USA Inc., SKF France S.A., and Sarma v. United States*, 391 F. Supp. 2d 1327, 1337 (CIT 2005). In accordance with the CIT's remand order in *SKF*, 391 F. Supp. 2d at 1337, the Department filed its redetermination on remand of the final results (remand results) on December 21, 2005. On September 1, 2006, the CIT affirmed in part and struck in part the Department's remand results. The stricken parts of the remand results do not affect the weighted-average margin the Department recalculated for SKF in the remand results. See *SKF*, slip op. 06-133.

#### Decision Not in Harmony

The CIT ruled that the Department's decision to use partial facts available with respect to SKF's margin calculation was not supported by substantial evidence on the record. The changes to our calculations with respect to SKF resulted in a change in the weighted-average margin for ball bearings and parts thereof from 6.70 percent to 6.19 percent for the period of review. Accordingly, absent an appeal or, if appealed, upon a "conclusive" decision by the CIT, we will amend our final results of this review to reflect the recalculation of the margin for SKF.

#### Suspension of Liquidation

The United States Court of Appeals for Federal Circuit (CAFC) held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. See *The Timken Company v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990). Publication of this notice fulfills that obligation. The CAFC also held that, in such a case, the Department must suspend liquidation until there is a "conclusive" decision in the action. *Id.* Therefore, the Department must suspend liquidation pending the expiration of the period to appeal the CIT's September 1, 2006, decision or pending a final decision of the CAFC if that decision is appealed.

Because entries of ball bearings and parts thereof from France produced by, exported to, or imported into the United States by SKF are currently being suspended pursuant to the court's injunction order in effect, the Department does not need to order U.S. Customs and Border Protection to

suspend liquidation of affected entries. The Department will not order the lifting of the suspension of liquidation on entries of ball bearings and parts thereof made during the review period before a court decision in this lawsuit becomes final and conclusive.

We are issuing and publishing this notice in accordance with section 516A(c)(1) of the Tariff Act of 1930, as amended.

Dated: September 12, 2006.

**Barbara E. Tillman,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 06-8076 Filed 9-21-06; 8:45 am]

**BILLING CODE 3510-DR-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-875]

#### Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China: Notice of Partial Rescission of Antidumping Duty Administrative Review

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

**SUMMARY:** On May 31, 2006, the Department of Commerce ("the Department") initiated the third administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the People's Republic of China ("PRC") covering the period April 1, 2005, through March 31, 2006. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 30864 (May 31, 2006) ("*Initiation Notice*"). On July 25, 2006, the review request was withdrawn with respect to two parties. Therefore, the Department is partially rescinding the administrative review of sales of non-malleable cast iron pipe fittings with respect to the entities for whom the review requests have been withdrawn.

**EFFECTIVE DATE:** September 22, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Hilary E. Sadler, Esq., AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Room 4416, Washington, DC 20230; telephone: (202) 482-4340.

#### SUPPLEMENTARY INFORMATION:

##### Background

On April 3, 2006, the Department published a notice of opportunity to

request an administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC for the period April 1, 2005 through March 31, 2006. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 16549 (April 3, 2006). On April 21, 2006, Myland Industrial Co., Ltd. ("Myland") and Buxin Myland (Foundry) Ltd. ("Buxin") requested an administrative review of their sales to the United States during the period of review ("POR") of merchandise produced by Buxin and exported by Myland. On April 28, 2006, Ward Manufacturing, Inc. ("Ward"), a domestic producer of non-malleable cast iron pipe fittings, requested an administrative review of the sales to the United States during the POR of merchandise produced and/or exported by Jinan Meide Corporation ("JMC") and SFTEC. Pursuant to these requests, the Department initiated an administrative review of the antidumping duty order on non-malleable cast iron pipe fittings from the PRC. See *Initiation Notice*. On July 25, 2006, Ward timely withdrew its request for an administrative review of non-malleable cast iron pipe fittings from the PRC regarding merchandise produced and/or exported by JMC and SFTEC.

#### Partial Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation. In this case, Ward withdrew its request for an administrative review of JMC and SFTEC within 90 days from the date of initiation. No other interested party requested a review of JMC and SFTEC. Therefore, the Department is rescinding this review with respect to JMC and SFTEC, in accordance with 19 CFR 351.213(d)(1). The review will continue with respect to Myland and Buxin.

#### Assessment

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess antidumping duties on all appropriate entries for JMC and SFTEC. Antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department will issue appropriate assessment instructions directly to CBP within 15