

day per mountain bike rider and \$20.00 per mountain bike rider for a season pass for use of the Woodrun mountain bike trail system. This trail system consists of 24 miles of trails managed primarily for use by mountain bikers. The trail system is managed to protect environmental and cultural resource sites and will facilitate continued mountain bike use within the National Forests in North Carolina on the Uwharrie Ranger District. Fee revenue will support operations and maintenance of the trail system and trailhead and future site improvements.

**DATES:** The fee is scheduled for implementation in May of 2007.

**FOR FURTHER INFORMATION CONTACT:**

David H. Wright, Recreation Fee Coordinator, 828-257-4256, National Forests in North Carolina, P.O. Box 2750, Asheville, NC 28802.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement Act (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish advance notice in the **Federal Register** whenever new recreation fee areas are established. This new fee will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation. The National Forests in North Carolina presently manages one other mountain bike trail system fee site in North Carolina. Recreation fees are \$3.00 per mountain bike per day and \$20.00 per mountain bike per season pass at this site. The Woodrun mountain bike trail system will offer a vault toilet facility at the trailhead, trash receptacle, improved parking area, information kiosk, area specific map, and access to twenty-four miles of mountain bike trails.

Dated: November 3, 2006.

**Marisue Hilliard,**

*National Forests in North Carolina Supervisor.*

[FR Doc. 06-9161 Filed 11-7-06; 8:45 am]

**BILLING CODE 3410-52-M**

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**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**Notice of New Recreation Fee Site; Federal Lands Recreation Enhancement Act, (Title VIII, Pub. L. 108-447)**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of new recreation fee site.

**SUMMARY:** The National Forests in North Carolina will begin charging a \$5.00 special recreation permit trail fee per day per rider and \$30.00 per rider for a

season pass for use of the Uwharrie Horse Trail system. This trail system consists of 40 miles of trails managed primarily for use by horseback riders. The trail system is managed to protect environmental and cultural resource sites and will facilitate continued equestrian use within the National Forests in North Carolina on the Uwharrie Ranger District. Fee revenue will support operations and maintenance of the trail system and trailhead and future site improvements.

**DATES:** The fee is scheduled for implementation in May of 2007.

**FOR FURTHER INFORMATION CONTACT:**

David H. Wright, Recreation Fee Coordinator, 828-257-4256, National Forests in North Carolina, PO Box 2750, Asheville, NC 28802.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement Act (Title VIII, Pub. L. 108-447) directed the Secretary of Agriculture to publish advance notice in the **Federal Register** whenever new recreation fee areas are established. This new fee will be reviewed by a Recreation Resource Advisory Committee prior to a final decision and implementation. The Uwharrie Horse Trail system will offer a vault toilet facility at the trailhead, trash receptacle, improved parking area, information kiosk, area specific map, and access to forty miles of equestrian trails.

Dated: November 3, 2006.

**Marisue Hilliard,**

*National Forests in North Carolina Supervisor.*

[FR Doc. 06-9162 Filed 11-8-06; 8:45 am]

**BILLING CODE 3410-52-M**

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**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Southeast Alaska Federal Subsistence Regional Advisory Council Meeting**

**AGENCY:** Forest Service, USDA; Fish and Wildlife Service, Interior.

**ACTION:** Notice of meeting (teleconference).

**SUMMARY:** This notice informs the public that the Southeast Alaska Federal Subsistence Regional Advisory Council will hold a public meeting by teleconference on November 21, 2006. The public is invited to participate and to provide oral testimony.

**DATES:** The teleconference will be held November 21, 2006, at 10 a.m., Alaska

Standard Time. For how to participate, please see **SUPPLEMENTARY INFORMATION** below.

**FOR FURTHER INFORMATION CONTACT:**

Chair, Federal Subsistence Board, c/o Office of Subsistence Management, U.S. Fish and Wildlife Service, 3601 C Street, Suite 1030, Anchorage, Alaska 99503; telephone (907) 786-3888. For questions related to subsistence management issues on National Forest Service lands, contact Steve Kessler, Subsistence Program Leader, 3601 C Street, Suite 1030, Anchorage, Alaska 99503; telephone (907) 786-3592.

**SUPPLEMENTARY INFORMATION:** The Southeast Alaska Subsistence Regional Advisory Council will meet by teleconference on Tuesday, November 21, 2006, to develop a petition to the Secretary of the Interior and Secretary of Agriculture concerning the requirement that subsistence hunters possess a State of Alaska-issued resident hunting or trapping license to hunt or trap under Federal subsistence regulations, and for discussing other matters affecting subsistence users in Southeast Alaska. This meeting is open to the public to provide testimony. To participate, call toll free, 1-800-369-3372. The Teleconference Leader is Dr. Robert Schroeder and the Passcode is "REGIONAL COUNCIL".

**Authority:** Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA), 16 U.S.C. 3101-3126.

Dated: October 25, 2006.

**Peter J. Probasco,**

*Acting Chair, Federal Subsistence Board.*

Dated: October 25, 2006.

**Steve Kessler,**

*Subsistence Program Leader, USDA—Forest Service.*

[FR Doc. 06-9147 Filed 11-8-06; 8:45 am]

**BILLING CODE 3410-11-P; 4310-55-P**

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**COMMISSION ON CIVIL RIGHTS**

**Sunshine Meeting Act Notice**

**DATE AND TIME:** Friday, November 17, 2006, 9 a.m.

**PLACE:** U.S. Commission on Civil Rights, 624 9th Street, NW., Room 540, Washington, DC 20425.

The meeting is also accessible to the public through the following: Call-in number: 1-800-597-0731, Access Code Number: 43783773.

Federal Relay Service: 1-800-877-8339.

**STATUS:**

**Agenda**

I. Approval of Agenda

- II. Approval of Minutes of October 13, Meeting
- III. Announcements
- IV. Staff Director's Report
- V. Program Planning
  - Briefing Report Benefits of Diversity in Elementary and Secondary Education
- VI. Management and Operations
  - Orange County Voter Harassment Letter
  - 2007 Business Meeting and Briefing Calendar
- VII. State Advisory Committee Issues
  - Recharter Package for California State Advisory Committee
- VIII. Future Agenda Items
- IX. Adjourn

**CONTACT PERSON FOR FURTHER**

**INFORMATION:** Manuel Alba, Press and Communications (202) 376-8587.

**David Blackwood,**

*General Counsel.*

[FR Doc. 06-9186 Filed 11-7-06; 3:15 pm]

**BILLING CODE 6335-01-M**

**DEPARTMENT OF COMMERCE****Bureau of Industry and Security**

[Docket No. 05-BIS-22]

**In the Matter of: Mr. Daqing Zhou;  
Manten Electronics, Inc.; Beijing  
Office, Suite 2-4-501, 2nd Area Cherry  
Garden, Li Qiao Town, Shun Yi,  
Beijing, PRC 101300, Respondent;  
Final Decision and Order**

In a charging letter filed on December 1, 2005, the Bureau of Industry and Security ("BIS") alleged that the Respondent, Daqing Zhou ("Zhou"), committed three violations of the Export Administration Regulations ("Regulations"),<sup>1</sup> issued under the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) (the "Act").<sup>2</sup>

Specifically, the charging letter filed by BIS alleged that Zhou conspired to export microwave amplifiers, items subject to the Regulations and classified under Export Control Classification Number ("ECCN") 3A001, from the United States to China without the

required Department of Commerce license. BIS alleged that the goal of the conspiracy was to obtain microwave amplifiers on behalf of a Chinese end-user and to export those microwave amplifiers to China. In so doing, BIS charged that Zhou committed one violation of Section 764.2(d) of the Regulations.

The charging letter also alleged that Zhou caused the doing of an act prohibited by the Regulations. Specifically, BIS alleged that Zhou ordered the aforementioned microwave amplifiers from a U.S. company for use by an end-user in China. The U.S. company then exported the microwave amplifiers to China without the Department of Commerce license required by Section 742.4 of the Regulations. In so doing, BIS charged that Zhou committed one violation of Section 764.2(b) of the Regulations.

Finally, the charging letter filed by BIS alleged that, in connection with the export of microwave amplifiers on or about May 23, 2002, Zhou ordered or financed microwave amplifiers that were to be exported from the United States with knowledge that a violation of the Regulations would occur in connection with those items. In so doing, BIS charged that Zhou committed one violation of section 764.2(e) of the Regulations.

In accordance with Section 766.3(b)(1) of the Regulations, on December 1, 2005, BIS mailed the notice of issuance of the charging letter by registered mail to Zhou at his last known address. Although postage marks indicate that the charging letter arrived in Beijing, the letter was returned to BIS unopened. BIS then sent a copy of the charging letter to Zhou at the same address in Beijing by Federal Express on May 1, 2006. The record established that on May 17, 2006, the charging letter sent by Federal Express was signed for by a "D. Zhou."

Section 766.6(a) of the Regulations provides, in pertinent part, that "[t]he respondent must answer the charging letter within 30 days after being served with notice of issuance of the charging letter" initiating the administrative enforcement proceeding. To date, Zhou has not filed an answer to the charging letter with the Administrative Law Judge (ALJ), and has not otherwise responded to the charging letter, as required by the Regulations.

Pursuant to the default procedures set forth in Section 766.7 of the Regulations, BIS filed a Motion for Default Order with the ALJ on September 11, 2006. Under Section 766.7(a) of the Regulations, "[f]ailure of the respondent to file an answer within

the time provided constitutes a waiver of the respondent's right to appear," and "on BIS's motion and without further notice to the respondent, [the ALJ] shall find the facts to be as alleged in the charging letter."

On October 17, 2006, the ALJ issued a Recommended Decision and Order in which he concluded that "BIS submitted evidence to establish delivery of the notice of the Charging Letter was constructively refused on or about December 17, 2006 and that BIS properly served notice of the Charging Letter in accordance with Section 766.3 of the Regulations." I conclude that the ALJ's reference to "December 17, 2006" was a typographical error. In this case, I find that the charges were served on the Respondent on May 17, 2006; the date that "D. Zhou" signed for the Federal Express package containing the charging letter that was sent to the Respondent's, Daqing Zhou, last known address. Thirty days having past since the charges were properly served and not answered, BIS was entitled to seek a default judgment.

Based upon the record before him, the ALJ held Zhou in default. In the Recommended Decision and Order, the ALJ found the facts to be as alleged in BIS's charging letter, and determined that those facts established that Zhou committed one violation of Section 764.2(d), one violation of Section 764.2(b), and one violation of Section 764.2(e) of the Regulations. The ALJ recommended that Zhou be denied export privileges for twenty years.

The ALJ's Recommended Decision and Order, together with the entire record in this case, has been referred to me for final action under Section 766.22 of the Regulations. I find that the record supports the ALJ's findings of fact and conclusions of law, as modified above, with respect to each of the above-referenced charges brought against Zhou. I also find that the penalty recommended by the ALJ is appropriate, given the nature of the violations, the lack of mitigating circumstances, the importance of preventing future unauthorized exports, and penalties imposed in past similar cases. Although the imposition of a monetary penalty is an appropriate option, I agree with the ALJ that in this case such a penalty may not be effective, given the difficulty of collecting payment against a party outside the United States.

Based on my review of the entire record, I affirm the findings of fact, as modified, and conclusions of law in the ALJ's Recommended Decision and Order.

<sup>1</sup> The Regulations are currently codified at 15 CFR Parts 730-774 (2006). The violations charged occurred in 2001 and 2002. The Regulations governing the violations at issue are found in the 2001 through 2002 versions of the Code of Federal Regulations (15 CFR Parts 730-774 (2001-2002)). The 2006 Regulations establish the procedures that apply to this matter.

<sup>2</sup> 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 3, 2006 (71 FR 44,551 (August 7, 2006)) has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)).