

## REVIEW BOARD DETERMINATIONS—Continued

Record No.	Status	Releases	New re-view date
104-10050-10002 .....	Open in Full .....	3	N/A
104-10050-10077 .....	Open in Full .....	1	N/A
104-10054-10023 .....	Open in Full .....	12	N/A
104-10054-10204 .....	Open in Full .....	2	N/A

**FOR FURTHER INFORMATION CONTACT:**

T. Jeremy Gunn, Acting General Counsel and Associate Director for Research and Analysis, Assassination Records Review Board, Second Floor, 600 E Street, NW, Washington, DC 20530, (202) 724-0088, Fax: (202) 724-0457.

**David G. Marwell,**

*Executive Director.*

[FR Doc. 95-15515 Filed 6-23-95; 8:45 am]

BILLING CODE 6820-TD-M

**COMMISSION ON CIVIL RIGHTS**

**Hearing on Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination; New York City**

**AGENCY:** Commission on Civil Rights.

**ACTION:** Notice of hearing.

**SUMMARY:** Notice is hereby given pursuant to the provisions of the Civil Rights Commission Amendments of 1994, section 3, Public Law 103-419, 108 Stat. 4338, as amended, and 45 CFR 702.3, that a public hearing of the U.S. Commission on Civil Rights will commence on Wednesday, July 26, 1995, beginning at 8:30 a.m., in Ballroom 3 of the New New York Vista Hotel, located at 3 World Trade Center, New York, New York 10048.

The purpose of the hearing is to collect documents within the jurisdiction of the Commission, under 45 CFR 702.2, related to City policies and administration, immigration, and the securities industry in order to examine underlying causes of racial and ethnic tensions in the United States.

The Commission is authorized to hold hearings and to issue subpoenas for the production of documents and the attendance of witnesses pursuant to 45 CFR 701.2(c). The Commission is an independent bipartisan, factfinding agency authorized to study, collect, and disseminate information, and to appraise the laws and policies of the Federal Government, and to study and collect information concerning legal developments, with respect to discrimination or denials of equal protection of the laws under the

constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice.

Hearing impaired persons who will attend the hearing and require the services of a sign language interpreter, should contact Betty Edmiston, Administrative Services and Clearinghouse Division, at (202) 376-8105 (TDD (202) 376-8116), at least five (5) working days before the scheduled date of the hearing.

**FOR FURTHER INFORMATION CONTACT:**

Barbara Brooks, Press and Communications (202) 376-8312.

Dated: June 21, 1995.

**Miguel A. Sapp,**

*Acting Solicitor.*

[FR Doc. 95-15588 Filed 6-23-95; 8:45 am]

BILLING CODE 6335-01-M

**DEPARTMENT OF COMMERCE****Bureau of Export Administration**

**[Docket Nos. 5109-01, 5109-02, 5110-01, 5110-02, 5110-03]**

**Decision and Order**

In the Matter of: Sidhartha Bose, also known as Dr. Bose individually and doing business as Perfect Technologies, Ltd. with an address at 211 Golders Green Road, London, NW11 9BY, England and Thirunavukkarasu Ragunathan individually and doing business as W.K. Agencies and as Computer Focus Services Pte. Ltd. with an address at 18 Jalan Kechil, #06-22 Eastern Mansion, Singapore 1543, Respondents

On May 31, 1995, the Administrative Law Judge (ALJ) entered his Recommended Decision and Default Order in the above-referenced matters. The Recommended Decision and Default Order, a copy of which is attached hereto and made a part hereof, has been referred to me for final action. After describing the facts of the case and his findings based on those facts, the ALJ found that the Respondents had violated Sections 787.3(a) and 787.3(b) of the Export Administration Regulations (EAR) by conspiring with others to bring about acts that constituted violations of the EAR, by

exporting or attempting to export U.S.-origin computers or computer parts from the United States, either directly or through Canada and/or Singapore, for ultimate destination in the then-Union of Soviet Socialist Republics, without the validated export licenses required by Section 772.1 of the EAR.

The ALJ found that the appropriate penalty for the violations should be that the Respondents and all successors, assignees, officers, representatives, agents and employees be denied for a period of ten years from this date all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving commodities or technical data exported or to be exported from the United States and subject to the Export Administration Regulations.

Based on my review of the entire record, I affirm the Recommended Decision and Default Order of the Administrative Law Judge.

This constitutes final agency action in this matter.

Dated: June 16, 1995.

**William A. Reinsch,**

*Under Secretary for Export Administration.*

**Recommended Decision and Default Order**

On July 20, 1994, the Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (Department), issued separate charging letters initiating administrative proceedings against Sidhartha Bose, also known as Dr. Bose, individually and doing business as Perfect Technologies, Ltd.; and Thirunavukkarasu Ragunathan, individually and doing business as W.K. Agencies and as Computer Focus Services Pte. Ltd. (hereinafter "Bose" or "Ragunathan" or collectively referred to as respondents). Each charging letter alleged that the named respondent committed two violations of the Export Administration Regulations (currently codified at 15 CFR Parts 768-799 (1995)) (the Regulations),<sup>1</sup> issued

<sup>1</sup> The alleged violations occurred between 1987 and 1989. The Regulations governing the violations

pursuant to the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app. §§ 2401–2420 (1991, Supp. 1993, and Pub. L. No. 103–277, July 5, 1994)) (the Act).<sup>2</sup>

Specifically, each charging letter alleged that the named respondents conspired with a network of business associates to bring about acts that constituted violations of the Regulations. The purpose of the conspiracy was to acquire U.S.-origin computers or computer parts which the conspirators would then export, or attempt to export, from the United States, either directly or through Canada, to India and/or Singapore, for ultimate destination in the then-Union of Soviet Socialist Republics (U.S.S.R.), without the validated export licenses required by Section 772.1 of the Regulations. Accordingly, the Department alleged that each respondent committed one violation of Section 787.3(a) and one violation of Section 787.3(b) of the Regulations.

On April 19, 1995, in light of the fact that neither Bose nor Ragunathan had answered the charging letter in accordance with the requirements of Section 788.7 of the Regulations, I ordered the Department to file separate default submissions, together with supporting evidence for the allegations made, by May 19, 1995. Because the two actions arose out of the same transactions or occurrences and the evidence supporting the Department's allegations in both cases is substantially the same, the Department moved on May 9, 1995 that I consolidate the proceedings and authorize the Department to file a single default submission. On May 10, 1995, I granted the Department's request. On May 18, 1995, the Department requested and I granted permission for the Department to file its default submission on or before May 24, 1995.

On the basis of the Department's submission and all of the supporting evidence presented, I have determined that Bose and Ragunathan violated Sections 787.3(a) and 787.3(b) of the Regulations by conspiring with others to

bring about acts that constituted violations of the Regulations, by exporting or attempting to export from the United States, either directly or through Canada, to India and/or Singapore, for ultimate destination in the then-U.S.S.R. without the validated export licenses, as the Department alleges.

For those violations, the Department urges as a sanction that respondent's export privileges be denied for 10 years. I concur in the Department's recommendation.

Accordingly, it is therefore ordered, First, that all outstanding individual validated licenses in which Sidhartha Bose, also known as Dr. Bose, individually and doing business at Perfect Technologies, Ltd., or Thirunavukkarasu Ragunathan, individually and doing business as W.K. Agencies and as Computer Focus Services, Pte. Ltd., appears or participates, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Office of Exporter Services for cancellation. Further, all of Bose and Ragunathan's privileges of participating, in any manner or capacity, in any special licensing procedure, including, but not limited to, distribution licenses, are hereby revoked.

Second, Sidhartha Bose, also known as Dr. Bose, individually and doing business as Perfect Technologies, Ltd., with an address at 211 Golders Green Road, London, NW11 9BY, England; and Thirunavukkarasu Ragunathan, individually and doing business as W.K. Agencies and as Computer Focus Services Pte. Ltd, with an address at 18 Jalan Kechil, #06–22 Eastern Mansion, Singapore 1543 (collectively referred to as "Bose and "Ragunathan"), and all successors, assigns, officers, representatives, agents, and employees, shall, for a period of 10 years from the date of final agency action, be denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States, and subject to the Regulations.

A. Without limiting the generality of the foregoing, participating, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) as a party or as a representative of a party to any export license application submitted to the Department; (ii) in preparing or filing with the Department any export license application or request for

reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization, or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing of such commodities or technical data.

B. After notice and opportunity for comment as provided in Section 788.3(c) of the Regulations, any person, firm, corporation, or business organization related to either Bose or Ragunathan by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

C. As provided by Section 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Exporter Services, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) Apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export or reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying his export privileges or then excluded from practice before the Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) in any transaction which may involve any commodity or technical data exported or to be exported from the United States; (b) in any reexport thereof; or (c) in any other transaction which is subject to the Export Administration Regulations, if the person denied export privileges may obtain any benefit or have any interest in, directly or indirectly, any of these transactions.

Third, that a copy of this Order shall be served on Bose and Ragunathan and on the Department.

Fourth, that this Order, as affirmed or modified, shall become effective upon entry of the final action by the Under Secretary for Export Administration, in accordance with the Act (50 U.S.C.A. app. § 2412(c)(1)) and the Regulations (15 CFR 788.23).

are found in the 1987 version of the Code of Federal Regulations, codified at 15 CFR Parts 368–399 (1987); the 1988 version of the Code of Federal Regulations, codified at 15 CFR Parts 368–399 (1988); and the 1989 version of the Code of Federal Regulations, codified at 15 CFR Parts 768–799 (1989). Effective October 1, 1988, the Regulations were redesignated as 15 CFR Parts 768–799 (53 FR 37751, September 28, 1988). The transfer merely changed the first number of each Part from "3" to "7."

<sup>2</sup>The Act expired on August 20, 1994. Executive Order 12924 (59 FR 43437, August 23, 1994) continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. 1701–1706 (1991)).

To be considered in the 30 day statutory review portion which is mandated by Section 13(c) of the Act, submissions must be received in the Office of the Under Secretary for Export Administration, U.S. Department of Commerce, 14th & Constitution Ave., N.W., Room 3898B, Washington, D.C., 20230, within 12 days. Replies to the other party's submission are to be made within the following 8 days. 15 CFR 788.23(b), 50 FR 53134(1985). Pursuant to Section 13(c)(3) of the Act, the order of the final order of the Under Secretary may be appealed to the U.S. Court of Appeals for the District of Columbia within 15 days of its issuance.

Dated: May 31, 1995.

**Edward J. Kuhlmann,**

*Administrative Law Judge.*

[FR Doc. 95-15587 Filed 6-23-95; 8:45 am]

BILLING CODE 3510-DT-M

## International Trade Administration

### Countervailing Duty Order; Amendment of Notice of Opportunity to Request a Section 753 Injury Investigation

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

**ACTION:** Amendment of Notice of Opportunity to Request a Section 753 Injury Investigation for Countervailing Duty Orders.

**SUMMARY:** On May 26, 1995, the Department of Commerce (the Department) notified domestic interested parties of their right to request an injury investigation under section 753 of the Tariff Act of 1930, as amended (the Act), for countervailing duty orders that were issued under former section 303 of the Act (60 FR 27963). This notice amends the Appendix to the previous notice which omitted six eligible countervailing duty orders.

**EFFECTIVE DATE:** June 26, 1995.

**FOR FURTHER INFORMATION CONTACT:** Cameron Cardozo, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-2786; or Vera Libeau, Office of Investigations, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone: (202) 205-3176.

#### SUPPLEMENTARY INFORMATION:

##### Background

This notice includes countervailing duty orders issued under former section 303 of the Act which were omitted from the Appendix to our previous notice

dated May 26, 1995 (60 FR 27963). At the time these orders were issued, U.S. law did not require injury determinations as a prerequisite to their issuance. With the accession of the United States to the World Trade Organization (WTO) and the enactment of the Uruguay Round Agreements Act of 1994 (URAA), P.L. 103-465, U.S. law has changed. Under the URAA, the Government of the United States may not assess countervailing duties on imports from a WTO member country in the absence of an injury determination. Thus, as noted in the Statement of Administrative Action, new section 753 of the Act (as amended by the URAA) provides that for such orders ". . . a domestic interested party may request that the [International Trade] Commission initiate an investigation to determine whether an industry in the United States is likely to be materially injured by reason of imports of the merchandise subject to the CVD order if the order is revoked." See Statement of Administrative Action, URAA, p.272.

### Opportunity to Request a Section 753 Injury Investigation

On January 1, 1995, Singapore and Thailand joined the WTO. Therefore, for each of the countervailing duty orders listed below, we are notifying all domestic interested parties, as described in sections 771(9) (C), (D), (E), (F), or (G) of the Act, of their right to request an injury investigation under section 753(a) from the U.S. International Trade Commission (the Commission). In accordance with sections 753(b)(3) and (4) of the Act, outstanding section 303 orders for which the Commission has not previously made an affirmative injury determination will be revoked by the Department unless a request for an injury investigation is submitted to the Commission within six months of the date on which the country covered by the order joins the WTO, and the Commission renders an affirmative injury determination pursuant to section 753(a)(1) of the Act. Requests for the following orders must be filed with the Commission no later than June 30, 1995.

Singapore: Ball Bearings.....(C-559-802)  
Singapore: Bearings, Cylindrical  
Roller.....(C-559-802)  
Singapore: Bearings, Needle  
Roller.....(C-559-802)  
Singapore: Bearings, Spherical  
Plane.....(C-559-802)  
Singapore: Bearings, Spherical  
Roller.....(C-559-802)  
Thailand: Ball Bearings.....<sup>1</sup> (C-549-802)

Requests for injury investigations under section 753 must be filed with the

<sup>1</sup> Applies only to the dutiable merchandise within the scope of the order.

Commission in accordance with 19 C.F.R. § 207.46(b), added by 60 FR 18, 22-23 (January 3, 1995). All requests should be addressed to: Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436.

Dated: June 21, 1995.

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

[FR Doc. 95-15761 Filed 6-23-95; 8:45 am]

BILLING CODE 3510-DS-P

### North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews; Request for Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of first request for panel review.

**SUMMARY:** On June 16, 1995 Cemex, S.A. de C.V. filed a First Request for Panel Review with the U.S. Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free-Trade Agreement. Panel review was requested of the final antidumping determination review made by the International Trade Administration in the administrative review respecting Gray Portland Cement and Cement Clinker from Mexico. This determination was published in the **Federal Register** on January 9, 1995 (60 FR 2378) and Amended on May 19, 1995 (60 FR 26865). The NAFTA Secretariat has assigned Case Number USA-95-1904-02 to this request.

**FOR FURTHER INFORMATION CONTACT:** James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") established a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the government of Canada and the government of Mexico established