

its implementing regulations at 5 CFR part 1320 do not apply.

Dated: April 10, 2006.

**Dale N. Bosworth,**

*Chief, Forest Service.*

[FR Doc. E6-7753 Filed 5-19-06; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Risk Management Agency

#### Notice of Intent To Seek Approval To Conduct an Information Collection

**AGENCY:** Risk Management Agency, USDA.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Risk Management Agency to request approval for the collection of information in support of the agency's mission under section 522(d) of the Federal Crop Insurance Act to develop and implement risk management tools for producers of agricultural commodities through partnership agreements.

**DATES:** Written comments on this notice will be accepted until close of business July 21, 2006.

**ADDRESSES:** Interested persons are invited to submit written comments to Virginia Guzman, United States Department of Agriculture (USDA), Research and Evaluation Division, Federal Crop Insurance Corporation, Risk Management Agency, 6501 Beacon Drive, Mail Stop 813, Kansas City, MO 64133. Written comments may also be submitted electronically to: [RMARED.PRA@rma.usda.gov](mailto:RMARED.PRA@rma.usda.gov).

**FOR FURTHER INFORMATION CONTACT:** Virginia Guzman or David Fulk, at the Kansas City, MO address listed above, telephone (816) 926-6343.

#### SUPPLEMENTARY INFORMATION:

*Title:* Agricultural Risk Management, Research and Evaluation, Organic Transition Simulation Model and Online Training Course Project.

*OMB Number:* 0563-NEW.

*Type of Request:* New Information Collection.

*Abstract:* The Risk Management Agency intends to collect information for purposes of product development and program evaluation. The product development data collection is necessary to obtain feedback from experts and potential users of a Web-based simulation model designed to assist farmers and agricultural extension

specialists in understanding the economic and environmental consequences in making a transition from traditional to organic production techniques. Results of this collection will be used to revise and improve the simulation model. The program evaluation component of the data collection is required to assess the effectiveness of the fully developed simulation model and the accompanying training course. All data collections will be conducted online using an automated web-survey system. We are asking the Office of Management and Budget (OMB) to approve this information collection activity for 3 years.

The purpose of this notice is to solicit comments from the public concerning the information collection activities. These comments will help us:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection information;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, or other collection technologies, *e.g.* permitting electronic submission of responses.

*Estimate of Burden:* The public reporting burden for this collection of information is estimated to average 3 to 10 minutes per response, depending on the survey.

*Respondents/Affected Entities:* Farmers who are growing organic crops or are considering the production of organic crops and Cooperative Extension specialists who advise farmers and educators on the basics of organic production and marketing.

*Estimated annual number of respondents:* 1,660.

*Estimated annual number of responses:* 8,120.

*Estimated total annual burden on respondents:* 1,111 hours.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Signed in Washington, DC, on May 16, 2006.

**Eldon Gould,**

*Manager, Federal Crop Insurance Corporation.*

[FR Doc. E6-7752 Filed 5-19-06; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[Docket No. 060505121-6121-01]

#### Establishment of Advisory Committee and Clarification of Deemed Export-Related Regulatory Requirements

**AGENCY:** Bureau of Industry and Security, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Industry and Security (BIS) is announcing the creation of a Federal Advisory Committee that will review and provide recommendations to the Department of Commerce on deemed export policy. The Deemed Export Advisory Committee (DEAC) will help ensure that the deemed export licensing policy most effectively protects national security while ensuring the U.S. continues to be at the leading edge of technological innovation. This notice also provides an overview of steps that BIS has taken to improve understanding of deemed export policy within academia and industry, including outreach activities conducted by BIS.

**ADDRESSES:** Although there is no official comment period for this notice, you may submit comments, identified by Docket No. 060505121-6121-01, by any of the following methods:

*E-mail:* [publiccomments@bis.doc.gov](mailto:publiccomments@bis.doc.gov). Include "060505121-6121-01" in the subject line of the message.

*Fax:* (202) 482-3355.

*Mail or Hand Delivery/Courier:* U.S. Department of Commerce, Bureau of Industry and Security, Regulatory Policy Division, 14th & Pennsylvania Avenue, NW., Room 2705, Washington, DC 20230, ATTN: Docket No. 060505121-6121-01.

**FOR FURTHER INFORMATION CONTACT:** Marcus Cohen, Regulatory Policy Division, Office of Exporter Services, Bureau of Industry and Security, telephone: (202) 482-2440 or e-mail: [mcohen@bis.doc.gov](mailto:mcohen@bis.doc.gov). Copies of the referenced Department of Commerce Office of Inspector General (OIG) Report are available at: <http://www.oig.doc.gov/oig/reports/2004/BIS-IPE-1676-03-2004.pdf>.

Public comments received by BIS in response to the ANPR are available at: <http://efoia.bis.doc.gov/>.

## Background

BIS is proposing the establishment of a "Deemed Export Advisory Committee" (DEAC) under the terms of the Federal Advisory Committee Act (FACA) (Pub. L. 92-463, 5 U.S.C., App. 2). The DEAC will serve as forum to address complex questions related to an evolving deemed export control policy. Specifically, the DEAC will be charged with reviewing the current deemed export policy and determining whether to recommend any changes to that policy. A separate notice will specifically address the comments received in response to the "*Advance Notice of Proposed Rulemaking: Revision and Clarification of Deemed Export Related Regulatory Requirements*" (ANPR) published in the **Federal Register** on March 28, 2005.

### A. Deemed Export Advisory Committee (DEAC); Notice of Recruitment of Private-Sector Members

The nature of research and technological development is constantly changing and there is evidence of growing participation of foreign nationals in U.S.-based research as well as their employment in U.S.-based high-technology industries. There is also an increasing interdependence between commercial and academic research. Over the course of the past decade, these changes have inevitably led to the increased transfer of controlled information to foreign nationals in the course of research and commercial technology development.

To ensure that the deemed export policy best protects U.S. national security, while striving not to impede the ability of U.S. industry and academic research to continue at the leading edge of technological innovation, BIS is establishing a "Deemed Export Advisory Committee" (DEAC) under the terms of the Federal Advisory Committee Act (FACA) (Pub. L. 92-463, 5 U.S.C., App. 2). The DEAC will undertake a comprehensive review of the national security, technology, and competitiveness dimensions of the deemed export issue and provide recommendations for potential changes to the current deemed export policy. The DEAC's review will include, but not be limited to, the recommendations made in the Department of Commerce Office of Inspector General (OIG) Report entitled "*Deemed Export Controls May Not Stop the Transfer of Sensitive Technology to Foreign Nationals in the*

*U.S.*" (Final Inspection Report No. IPE-16176-March 2004).

The DEAC, which will not exceed 12 members, will be structured to ensure a balanced membership that will offer a comprehensive point of view on the complex technical and policy questions at issue. The advisory committee will consist of representatives from industry, academia, and other experts in the field to ensure a full discussion of all aspects of deemed exports and knowledge transfer from the corporate, academic, and national security perspectives. Members will be called upon to advise BIS on highly technical issues surrounding technology transfer and to help ensure that BIS effectively carries out its critical national security function. To that end, the DEAC shall have a diverse membership with expertise in national security affairs, scientific research and development (R&D) policy, and the various forms of technology subject to the EAR, such as nuclear, chemical, missile, electronics, computer, telecommunications, and avionic technology. For a full list of technology and software subject to the EAR, see 15 CFR part 774, Supp. 1.

DEAC members will be appointed by the Secretary of Commerce and serve a term of not more than one year. DEAC members must obtain a secret security clearance prior to appointment. These clearances are necessary so that members may be permitted access to the classified information needed to formulate recommendations to the Department of Commerce. The DEAC will convene as appropriate, but in no case less than quarterly. To respond to this recruitment notice, please send a copy of your resume to Ms. Yvette Springer at [Yspringer@bis.doc.gov](mailto:Yspringer@bis.doc.gov). This Notice of Recruitment will be open until July 21, 2006.

### B. Current Deemed Export Policy

Given the extended public discussion of the OIG recommendations and the coming review of the deemed export policy by the DEAC, a reiteration of the current BIS deemed export policy regarding country of birth, the existing definition of "use" in the Export Administration Regulations (EAR), and the relationship of fundamental research to deemed exports is warranted. BIS has decided *not* to make any changes at this time to current regulations and policy on these three issues.

### C. BIS Activities Related to Deemed Exports

In the past year, BIS has undertaken an enhanced and targeted deemed export outreach program. Since the issuance of the report by the OIG, BIS

has significantly increased its outreach to the academic and research communities. This outreach has focused on the concerns identified by the OIG report to raise the level of awareness and to improve the understanding of the deemed exports regulatory requirements. In fiscal year 2004 and fiscal year 2005, over 120 outreach events were conducted annually, almost tripling that conducted in previous years. A third of these events—which range in content from presentations to large audiences, seminars, one-on-one consultations, and site visits—have been with the university and government research organizations and laboratories. These organizations were identified by the OIG report as needing additional knowledge of the EAR's deemed export requirements. BIS is on track to conduct over 100 deemed export outreach events in the current fiscal year. BIS has already seen the benefit of increased outreach to, and communication with, the regulated community and believes that the DEAC will provide a particularly advantageous forum for further in-depth technical information exchange between and among BIS and the academic, corporate, and other interested sectors.

In addition to onsite visits, seminars, and the information provided in Supplement No.1 to Part 734 of the EAR, BIS has also provided deemed export related guidance on its Web site. (See Deemed Export FAQ's at <http://www.bis.doc.gov/policiesandregulations/index.htm>) In particular, this guidance has addressed issues related to a foreign national's country of origin—an issue highlighted by the OIG report. This particular guidance explains that if the status of a foreign national is uncertain, it is important to consult with BIS to determine where the stronger ties lie, based on the facts of the specific case. BIS is committed to providing continued deemed export guidance and assistance to the regulated community on this important issue.

BIS has also participated in several Task Forces to address the deemed export issue, including an American Association of Universities/Council on Government Relations Task Force, the National Academies' Government-University-Industry-Research Roundtable, the Federal Bureau of Investigation's National Security Higher Education Advisory Board, and a White House, Office of Science and Technology Policy Interagency Working Group comprised of agency representatives with research laboratories (e.g., Department of Energy, Department of Defense, Department of

Health and Human Services, Department of Agriculture, National Institutes of Health, Food and Drug Administration, National Institute of Standards and Technology, etc.). The goal of each of these groups is to assess the impact of the OIG's recommendations and to address concerns raised by the regulated communities.

BIS has also increased its enforcement focus on deemed exports. A number of cases involving violations of deemed export requirements have been concluded with criminal and civil penalties and BIS will continue to pursue violations of the EAR's deemed export requirements to ensure U.S. national security is not compromised by unauthorized technology transfers to foreign nationals. In addition, BIS is collaborating with the Federal Bureau of Investigation on related enforcement issues through the National Security Higher Education Advisory Board.

Finally, BIS received funding in the FY2006 budget to implement an Enhanced Deemed Export Control Initiative. This initiative has two components—licensing and enforcement. The initiative will enable BIS to: (1) Process an increased volume of license applications in a timely manner, in order to ensure that U.S. entities are able to gain access to the expertise of foreign nationals who do not pose security concerns; and (2) ensure that U.S. entities are aware of and comply with U.S. deemed export license requirements through expanded outreach and enforcement activities. Both aspects are necessary to enhance U.S. national and economic security.

Dated: May 17, 2006.

**Matthew Borman,**

*Deputy Assistant Secretary of Commerce for Export Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-900]

#### **Final Determination of Sales at Less Than Fair Value and Final Partial Affirmative Determination of Critical Circumstances: Diamond Sawblades and Parts Thereof from the People's Republic of China**

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

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

**SUMMARY:** On December 29, 2005, the Department of Commerce ("the Department") published its preliminary determination of sales at less than fair value ("LTFV") and preliminary determination of partial affirmative critical circumstances in the antidumping investigation of certain diamond sawblades and parts thereof ("diamond sawblades") from the People's Republic of China ("PRC"). The period of investigation ("POI") is October 1, 2004, through March 31, 2005. The investigation covers four manufacturers/exporters which are mandatory respondents and twenty-one separate rate applicants. We invited interested parties to comment on our preliminary determination of sales at LTFV and partial affirmative critical circumstances. Based on our analysis of the comments we received, we have made changes to our calculations for certain of the mandatory respondents and the weight-averaged margins for the separate rate applicants.<sup>1</sup> We have also granted a separate rate to four additional applicants. The final dumping margins for this investigation are listed in the "Final Determination Margins" section below.

#### **FOR FURTHER INFORMATION CONTACT:**

Anya Naschak or Carrie Blozy, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-6375 or 482-5403, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Final Determination**

We determine that diamond sawblades from the PRC are being, or are likely to be, sold in the United States at LTFV as provided in section 735 of

<sup>1</sup>Danyang NYCL Tools Manufacturing Co., Ltd., Danyang Youhe Manufacturing Co. Ltd., Fujian Quanzhou Wanlong Stone Co. Ltd., Guilin Tebon Superhard Material Co. Ltd., Huzhou Gu Import & Export Co., Ltd., Jiangsu Fengtai Diamond Tools Manufacturing Co. Ltd., Jiangyin LIKN Industry Co. Ltd., Quanzhou Zhongzhi Diamond Tool Co., Ltd., Rizhao Hein Saw Co. Ltd., Shanghai Deda Industry & Trading Co. Ltd., Sichuan Huili Tools Co., Weihai Xiangguang Mechanical Industrail Co., Ltd., Wuhan Wanbang Laser Diamond Tools Company, Ltd., Xiamen ZL Diamond Tools Co. Ltd., Zhejiang Tea Import & Export Co. Ltd., Zhejiang Wanli Tools Group Co., Ltd. ("Wanli"), Zhenjiang Inter-China Import & Export Co., Ltd., (collectively, "preliminary separate rate applicants"), as well as four additional separate rate companies, Qingdao Shinhan Diamond Industrial Co., Ltd. ("Qingdao Shinhan"), Shijiazhuang Global New Century Tools Co., Ltd. ("Global"), Shanghai Robtol Tool Manufacturing Co., Ltd. ("Robtol"), and Huachang Diamond Tools Manufacturing Co., Ltd. ("Huachang") (collectively with preliminary separate rate applicants, "final separate rate companies").

the Tariff Act of 1930, as amended ("the Act"). The estimated margins of sales at LTFV are shown in the "Final Determination Margins" section of this notice.

#### **Case History**

The Department published its preliminary determination of sales at LTFV on December 29, 2005. See *Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Preliminary Partial Determination of Critical Circumstances: Diamond Sawblades and Parts Thereof from the People's Republic of China*, 70 FR 77121 (December 29, 2005) ("Preliminary Determination"). The Department conducted verification of Bosun Tools Group Co., Ltd. ("Bosun"), Beijing Gang Yan Diamond Product Company ("BGY"), and Hebei Jikai Industrial Group Co. Ltd. ("Hebei Jikai") (collectively, "respondents"), the three mandatory respondents participating in this investigation<sup>2</sup> in both the PRC and the United States (where applicable), and Shanghai Deda Industry & Trading Co. Ltd. ("Shanghai Deda"), one of the separate rate applicants. See the "Verification" section below for additional information.

On February 6, 2006, the Department solicited comments from all interested parties regarding changes to its calculation of financial ratios. On February 7, 2006, Bosun and Petitioner submitted additional comments on the valuation of factors of production ("FOPs") for the final determination. On February 13, 2006, BGY also submitted additional comments on the valuation of FOPs for the final determination. On February 21, 2006, Bosun submitted a rebuttal to Petitioner's February 7, 2006, comments.

On February 1, 2006, the Department received a separate rate application from Qingdao Shinhan. The Department determined on February 24, 2006, that Qingdao Shinhan's separate rate application was timely filed. See Memorandum to the File from Catherine Bertrand dated February 24, 2006. On March 22, 2006, the Department preliminarily determined that the information contained in Qingdao Shinhan's separate rate application demonstrated that it qualified for a separate rate in this investigation.

We invited parties to comment on the *Preliminary Determination*. We received comments from the Diamond Sawblade Manufacturers' Coalition ("Petitioner"),

<sup>2</sup>One mandatory respondent, Saint-Gobain Abrasives (Shanghai) Co., Ltd. ("Saint Gobain") did not participate in this investigation.