

- Update on Status of Title IX Project. [Discussion of this agenda item was held in closed session.]
  - Update on Status of 2010 Enforcement Report. [Discussion of this agenda item was held in closed session.]
  - National Conference Update.
  - Approval of Concept Papers for FY 2010 Briefing Topics.
  - Amendments to Title IX Briefing Report.
  - Approval of MEPA Briefing Report.
- III. State Advisory Committee Issues.
- Iowa SAC.
  - Massachusetts SAC.
- IV. Management & Operations.
- Motion To Permit Commissioners' Special Assistants To Join Commissioners' Line for Telephonic Meetings.
- V. Approval of September 24, October 8, October 15 and October 30 Meeting Minutes.
- VI. Staff Director's Report.
- VII. Adjourn.

**CONTACT PERSON FOR FURTHER**

**INFORMATION:** Lenore Ostrowsky, Acting Chief, Public Affairs Unit (202) 376-8591. *TDD:* (202) 376-8116.

Persons with a disability requiring special services, such as an interpreter for the hearing impaired, should contact Pamela Dunston at least seven days prior to the meeting at 202-376-8105. *TDD:* (202) 376-8116.

Dated: December 8, 2009.

**David Blackwood,**

*General Counsel.*

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**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

[Docket 55-2009]

**Foreign-Trade Zone 74—Baltimore, MD: Application for Subzone Michelin North America, Inc. (Tire Distribution and Wheel Assembly); Elkton, MD**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of Baltimore, grantee of FTZ 74, requesting special-purpose subzone status for the distribution facility of Michelin North America, Inc. (MNA), located in Elkton, Maryland. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on December 3, 2009.

MNA's facility (130 employees, approximately 71 acres/756,600

enclosed square feet) is located at 515 Fletchwood Road, Elkton, Maryland. The facility is primarily used for the storage and distribution of tires and tire accessories (duty rates range from duty-free to 4.0%); however, the applicant is also requesting manufacturing authority to perform wheel assembly at the proposed subzone.

On its distribution activity, FTZ procedures could exempt MNA from customs duty payments on the foreign products that are exported (3 to 7% of shipments). On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the facility and entered for consumption. Certain tires from China are temporarily subject to additional duties imposed in a Section 421 safeguard case; such tires will be admitted to the proposed subzone under privileged foreign status (19 CFR 146.41) or domestic (duty paid) status (19 CFR 146.43).

As noted above, the applicant is also requesting to perform wheel assembly (up to 100,000 units annually) using domestic and foreign components on behalf of auto manufacturer clients. Foreign-sourced components include tires (HTSUS 4011.10, 4011.20, 4011.61, 4011.62, 4011.63, 4011.92, 4011.93, 4011.94, 4011.99, duty-free to 4.0%), wheel rims (HTSUS 8708.70, duty-free to 2.5%), flaps (HTSUS 4012.90, duty-free to 4.2%), valves (HTSUS 8481.80, 2% to 5.6%), tubes (HTSUS 4013.10, 3.7%), gaskets (HTSUS 4016.93, 2.5%), sensors (HTSUS 8525.10, duty-free), and nuts (HTSUS 7318.16, duty-free).

FTZ procedures could exempt MNA from customs duty payments on the foreign components used in production for export to non-NAFTA countries. On shipments for U.S. consumption and to NAFTA markets, MNA could elect the wheel assembly duty rate (generally dutiable as an auto part—2.5%) for the foreign components (mostly tires, dutiable at 4%) listed above. The auto part duty rate (2.5%) would apply if the wheel assemblies are shipped via zone-to-zone transfer to U.S. motor vehicle assembly plants with subzone status.

FTZ designation would further allow Michelin to realize logistical benefits through the use of certain customs procedures and duty savings on scrap and waste. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Diane Finver of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case

record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is February 8, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to February 23, 2010.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>.

For further information, contact Diane Finver at [Diane.Finver@trade.gov](mailto:Diane.Finver@trade.gov) or (202) 482-1367.

Dated: December 3, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-489-807]

**Certain Steel Concrete Reinforcing Bars from Turkey: Notice of Court Decision Not in Harmony with Final Results of Administrative Review**

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

**SUMMARY:** On June 15, 2009, and November 23, 2009, the United States Court of International Trade (CIT) sustained the Department of Commerce's (the Department's) results of redetermination pursuant to the CIT's remand orders in *Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. v. United States*, Court No. 05-00613, Slip Op. 09-55 (June 15, 2009) and *Habas Sinai ve Tibbi Gazlar Istihsal Endustrisi A.S. v. United States*, Court No. 05-00613, Slip Op. 09-133 (Nov. 23, 2009). See Results of Redetermination Pursuant to Remand, dated March 3, 2008, and Results of Redetermination Pursuant to Remand, dated September 8, 2009 (found at <http://ia.ita.doc.gov/remands>). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir.