

agreement between the Bureau of Industry and Security, United States Department of Commerce ("BIS"), and Respondent Ralph Michel ("Michel"), then-Assistant Secretary for Export Enforcement Julie L. Myers issued an Order (68 FR 65032, Nov. 18, 2003) resolving an administrative proceeding against Michel pursuant to Section 13(c) of the Export Administration Act of 1979, as amended ("Act"),<sup>1</sup> and the Export Administration Regulations ("Regulations"),<sup>2</sup> based on allegations in a proposed charging letter that Michel had committed six violations of the Regulations.

Among other things, the November 12, 2003 Order provided a non-standard denial of export privileges that prohibited Michel, for a period of five years from the date of that Order, from participating in any way in any transaction involving the export from the United States to Pakistan of any item subject to the Regulations or in any other activity subject to the Regulations that involves Pakistan.

Whereas, the November 12, 2003 Order lists Michel as "Ralph Michel, Vice President, Omega Engineering, Inc., One Omega Drive, Stamford, Connecticut 06907";

Whereas, the Office of Export Enforcement, Bureau of Industry and Security, U.S. Department of Commerce ("OEE"), has confirmed that this address is no longer correct, and that Michel's current address is "41 Rosewood Dr., Easton, CT 06612"; and

Whereas, as a result of the information OEE obtained regarding Michel's current address, OEE has requested that an order be issued amending the November 12, 2003 Order to reflect that new address for Michel;

Accordingly, it is hereby ordered that the November 12, 2003 Order denying Michel for five years from participating in any way in any transaction involving the export from the United States to Pakistan of any item subject to the Regulations or in any other activity subject to the Regulations that involves

Pakistan is amended by deleting the address "Vice President, Omega Engineering, Inc., One Omega Drive, Stamford, Connecticut 06907", and by adding the address "41 Rosewood Dr., Easton, CT 06612". In all other aspects, the November 12, 2003 Order remains in full force and effect.

This Order shall be effective immediately upon publication in the **Federal Register**.

Entered this 4th day of September 2008.

**Darryl W. Jackson,**

*Assistant Secretary of Commerce for Export Enforcement.*

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**BILLING CODE 3510-DT-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-427-801, A-428-801, A-475-801, A-588-804, A-412-801]

### Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews and Rescission of Reviews in Part

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

**SUMMARY:** On May 7, 2008, the Department of Commerce (the Department) published the preliminary results of the administrative reviews of the antidumping duty orders on ball bearings and parts thereof from France, Germany, Italy, Japan, and the United Kingdom. The reviews cover 27 manufacturers/exporters. The period of review is May 1, 2006, through April 30, 2007.

Based on our analysis of the comments received, we have made changes, including corrections of certain programming and other ministerial errors, in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of the Reviews."

**DATES:** *Effective Date:* September 11, 2008.

**FOR FURTHER INFORMATION:** Catherine Cartsos or Richard Rimlinger, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1757 or (202) 482-4477, respectively.

## SUPPLEMENTARY INFORMATION:

### Background

On May 7, 2008, the Department of Commerce published the preliminary results of the administrative reviews of the antidumping duty orders on ball bearings and parts thereof from France, Germany, Italy, Japan, and the United Kingdom. See *Ball Bearings and Parts Thereof From France, Germany, Italy, Japan, and the United Kingdom: Preliminary Results of Antidumping Duty Administrative Reviews and Intent to Rescind Reviews in Part*, 73 FR 25654 (May 7, 2008) (*Preliminary Results*). For these administrative reviews, the period of review covered is May 1, 2006, through April 30, 2007.

We invited interested parties to comment on the preliminary results. At the request of certain parties, we held a hearing for Japan-specific issues on July 1, 2008, a hearing for Germany-specific issues on July 10, 2008, a hearing for France-specific issues on July 11, 2008, and a hearing for general issues on July 15, 2008. The Department has conducted these administrative reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

### Scope of Orders

The products covered by the orders are ball bearings (other than tapered roller bearings) and parts thereof. These products include all antifriction bearings that employ balls as the rolling element. Imports of these products are classified under the following categories: antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof, and housed or mounted ball bearing units and parts thereof.

Imports of these products are classified under the following *Harmonized Tariff Schedules* (HTS) subheadings: 3926.90.45, 4016.93.10, 4016.93.50, 6909.19.5010, 8431.20.00, 8431.39.0010, 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.35, 8482.99.2580, 8482.99.6595, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.80, 8708.93.30, 8708.93.6000, 8708.99.06, 8708.99.3100, 8708.99.4000, 8708.99.4960, 8708.99.58, 8708.99.8015, 8708.99.8080, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 8803.90.90.

As a result of changes to the HTS, effective February 2, 2007, the subject merchandise is also classifiable under the following additional HTS item numbers: 8708.30.50.90, 8708.40.75.00, 8708.50.79.00, 8708.50.8900,

<sup>1</sup> 50 U.S.C. app. 2401-2420 (2000). 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 July 23, 2008 (73 FR 43603 (July 25, 2008)), has continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA").

<sup>2</sup> The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2008). The current version of the Regulations govern the procedural aspects of this case. The charged violations occurred in 1997. The Regulations governing the charged violations are found in the 1997 version of the Code of Federal Regulations (15 CFR parts 730-774 (1997)).

8708.50.91.50, 8708.50.99.00, 8708.70.6060, 8708.80.65.90, 8708.93.75.00, 8708.94.75, 8708.95.20.00, 8708.99.55.00, 8708.99.68, 8708.99.81.80.

Although the HTS item numbers above are provided for convenience and customs purposes, the written descriptions of the scope of these orders remain dispositive.

The size or precision grade of a bearing does not influence whether the bearing is covered by one of the orders. These orders cover all the subject bearings and parts thereof (inner race, outer race, cage, rollers, balls, seals, shields, etc.) outlined above with certain limitations. With regard to finished parts, all such parts are included in the scope of these orders. For unfinished parts, such parts are included if they have been heat-treated or if heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by these orders are those that will be subject to heat treatment after importation. The ultimate application of a bearing also does not influence whether the bearing is covered by the orders. Bearings designed for highly specialized applications are not excluded. Any of the subject bearings, regardless of whether they may ultimately be utilized in aircraft, automobiles, or other equipment, are within the scope of these orders.

For a list of scope determinations which pertain to the orders, see the "Memorandum to Laurie Parkhill" regarding scope determinations, dated April 30, 2008, which is on file in the Central Records Unit (CRU) of the main Department of Commerce building, room 1117, in the General Issues record (A-100-001) for the 2006-2007 reviews.

#### Rescission of Reviews in Part

In the *Preliminary Results*, we preliminarily found that Essex Nexans Europe SAS, Essex Nexans SAS, Essex Nexans L&K GmbH, Essex International Ltd., IKN GmbH, and WWC Service-Center GmbH had no shipments of subject merchandise during the period of review and we stated our intent to rescind the administrative reviews with respect to these companies. We have received no comments concerning our intent to rescind these administrative reviews. We continue to find that Essex Nexans Europe SAS, Essex Nexans SAS, Essex Nexans L&K GmbH, Essex International Ltd., IKN GmbH, and WWC Service-Center GmbH had no shipments of ball bearings from France, Germany, Italy, or the United Kingdom for the final results of these reviews. In accordance with 19 CFR 351.213(d)(3)

we are rescinding our reviews for Essex Nexans Europe SAS, Essex Nexans SAS, Essex Nexans L&K GmbH, Essex International Ltd., IKN GmbH, and WWC Service-Center GmbH.

#### Analysis of the Comments Received

All issues raised in the case and rebuttal briefs by parties to the concurrent administrative reviews of the orders on ball bearings and parts thereof are addressed in the "Issues and Decision Memorandum" (Decision Memo) from Stephen J. Claeys, Deputy Assistant Secretary, to David M. Spooner, Assistant Secretary, dated September 4, 2008, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded is in the Decision Memo and attached to this notice as an Appendix. The Decision Memo, which is a public document, is on file in the CRU, main Department of Commerce building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memo are identical in content.

#### Selection of Respondents

Due to the large number of companies in the reviews and the resulting administrative burden to review each company for which a request had been made and not withdrawn, the Department exercised its authority to limit the number of respondents selected for the reviews. Based on our analysis of the responses and our available resources, we chose to examine the sales of the following companies:

##### France:

- \* SKF France S.A. and SFK Aerospace France S.A.S. (SKF France)

##### Germany:

- \* Gebrüder Reinfurt GmbH & Co., KG (GRW)
- \* SKF GmbH (SKF Germany)

##### Italy:

- \* SKF RIV-SKF Officine di Villas Perosa S.p.A.; SKF Industrie S.p.A.; RFT S.p.A.; OMVP S.p.A. (collectively SKF Italy)

##### Japan:

- \* JTEKT Corporation (formerly known as Koyo Seiko Co., Ltd.) (JTEKT)
- \* NTN Corporation (NTN)

##### United Kingdom:

- \* The Barden Corporation (UK) Limited; Schaeffler (UK) Ltd. (formerly known as the Barden Corporation (UK) Ltd. or FAG (UK) Ltd.) (collectively Barden/Schaeffler UK)

For a detailed discussion on the selection of respondents for individual

examination, see *Preliminary Results*, 73 FR at 25655.

For the responding companies which remain under review and which we did not select for individual examination, we have either calculated a simple average of the weighted-average margins of the two selected respondents in a review (Japan—10.00 percent) or assigned the weighted-average margin from the previous administrative review (United Kingdom—0.72 percent). For a discussion of the rate for the non-selected respondent in the U.K. review, see Comment 16 of the Decision Memo.

#### Adverse Facts Available

Christian Feddersen GmbH & Co. KG, Lentz & Schmah GmbH, and Societe Nexans did not respond to our request concerning their sales or exports of ball bearings from France, Italy, Germany and the United Kingdom. These companies had the ability to provide data concerning the quantity and value of subject merchandise to the United States during the POR but did not do so, failing to cooperate by not acting to the best of their ability. We could neither consider them in our selection of respondents for individual examination nor complete any administrative reviews of the companies. See *Preliminary Results*, 73 FR at 25655. We received no comments on our preliminary determination to apply adverse facts available to these companies. For our final results, we have based their margins on facts available with an adverse inference in accordance with section 776 of the Act.

As facts available with an adverse inference for these non-responsive companies, we have selected the rates of 66.42 percent for France, 70.41 percent for Germany, 69.99 percent for Italy, and 60.15 percent for the United Kingdom. We corroborated these rates in accordance with section 776(c) of the Act. See *Preliminary Results*, 73 FR at 25657.

In addition, in our preliminary results we used facts otherwise available with an adverse inference for certain U.S. sales made by SKF Germany for which SKF Germany was not the producer and for which the producer failed to provide cost-of-production information by the deadline for submission of the information. We continue to find that it is appropriate to use facts otherwise available with an adverse inference for certain U.S. sales made by SKF Germany. For a detailed discussion see Comment 15 in the Decision Memo.

#### Sales Below Cost in the Home Market

The Department disregarded home-market sales that failed the cost-of-

production test for the following firms for these final results of reviews:

Country	Company
France .....	SKF France
Germany .....	GRW
	SKF Germany
Italy .....	SKF Italy
Japan .....	JTEKT
United Kingdom .....	NTN
	Barden/Schaeffler UK

### Changes Since the Preliminary Results

Based on our analysis of comments received and based on our own analysis of the preliminary results, we have made revisions that have changed the results for certain firms. We have corrected programming and ministerial errors in the preliminary results, where applicable. A detailed discussion of each correction we made is in the analysis memoranda which are on file in the CRU, main Department of Commerce building, Room 1117.

### Final Results of the Reviews

We determine that the following percentage weighted-average dumping margins on ball bearings and parts thereof exist for the period May 1, 2006, through April 30, 2007:

Company	Margin (percent)
<b>FRANCE</b>	
Christian Feddersen GmbH & Co. KG .....	66.42
Lentz & Schmahl GmbH .....	66.42
SKF France .....	11.09
Societe Nexans .....	66.42
<b>GERMANY</b>	
Christian Feddersen GmbH & Co. KG .....	70.41
GRW .....	0.12
Lentz & Schmahl GmbH .....	70.41
SKF Germany .....	4.15
Societe Nexans .....	70.41
<b>ITALY</b>	
Christian Feddersen GmbH & Co. KG .....	69.99
Lentz & Schmahl GmbH .....	69.99
SKF Italy (and Somecat) .....	7.06
Societe Nexans .....	69.99
<b>JAPAN</b>	
Aisin Seiki Company, Ltd. ....	10.00
Canon, Inc. ....	10.00
JTEKT .....	8.03
Nachi-Fujikoshi Corp. ....	10.00
Nippon Pillow Block Company Ltd. ....	10.00
NTN .....	11.96
Sapporo Precision, Inc. ....	10.00
Toyota Motor Corp./Toyota Industries Corp. ....	10.00

Company	Margin (percent)
Yamazaki Mazak Trading Company .....	10.00
<b>UNITED KINGDOM</b>	
Barden/Schaeffler UK .....	0.28
Christian Feddersen GmbH & Co. KG .....	58.20
Lentz & Schmahl GmbH .....	58.20
Rolls Royce PLC .....	0.72
Societe Nexans .....	58.20

### Assessment Rates

The Department will determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries. We intend to issue appropriate assessment instructions directly to CBP 15 days after publication of these final results of reviews. In accordance with 19 CFR 351.212(b)(1), we have calculated, whenever possible, an importer/customer-specific assessment rate or value for subject merchandise.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment of Antidumping Duties*). This clarification will apply to entries of subject merchandise during the period of review produced by companies included in these final results of reviews for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Assessment of Antidumping Duties*.

For the responsive companies which were not selected for individual review, we will instruct CBP to apply the rates listed above to all entries of subject merchandise from such firms.

For companies for which we are relying on total adverse facts available to establish a dumping margin, we will instruct CBP to apply the assigned dumping margins to all entries of subject merchandise during the POR that were produced and/or exported by the companies.

### Export Price

With respect to export-price (EP) sales, we divided the total dumping margins (calculated as the difference between normal value and the EP) for each exporter's importer or customer by the total number of units the exporter

sold to that importer or customer. We will direct CBP to assess the resulting per-unit dollar amount against each unit of merchandise on each of that importer's or customer's entries under the relevant order during the review period.

### Constructed Export Price

For constructed export-price (CEP) sales, we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct CBP to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period. See 19 CFR 351.212(b)(1).

### Cash-Deposit Requirements

To calculate the cash-deposit rate for each respondent (*i.e.*, each exporter and/or manufacturer included in these reviews), we divided the total dumping margins for each company by the total net value of that company's sales of merchandise during the review period subject to each order.

To derive a single deposit rate for each respondent, we weight-averaged the EP and CEP deposit rates (using the EP and CEP, respectively, as the weighting factors). To accomplish this when we sampled CEP sales (see *Preliminary Results*, 73 FR at 25662), we first calculated the total dumping margins for all CEP sales during the review period by multiplying the sample CEP margins by the ratio of total days in the review period to days in the sample weeks. We then calculated a total net value for all CEP sales during the review period by multiplying the sample CEP total net value by the same ratio. Finally, we divided the combined total dumping margins for both EP and CEP sales by the combined total value for both EP and CEP sales to obtain the deposit rate.

We will direct CBP to collect the resulting percentage deposit rate against the entered customs value of each of the exporter's entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. Entries of parts incorporated into finished bearings before sales to an unaffiliated customer in the United States will receive the respondent's deposit rate applicable to the order.

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of administrative reviews for all shipments of the subject merchandise entered, or withdrawn from warehouse,

for consumption on or after the date of publication, consistent with section 751(a)(1) of the Act: (1) The cash-deposit rates for the reviewed companies will be the rates shown above except that, for firms whose weighted-average margins are less than 0.5 percent and therefore *de minimis*, the Department shall not require a deposit of estimated antidumping duties; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash-deposit rate for all other manufacturers or exporters will continue to be the all-others rate for the relevant order made effective by the final results of review published on July 26, 1993. See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al. Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order*, 58 FR 39729 (July 26, 1993). For ball bearings from Italy, see *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al. Final Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 61 FR 66471, 66521 (December 17, 1996). These rates are the all-others rates from the relevant LTFV investigation.

These deposit requirements shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

#### Notification Regarding APOs

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance

with 19 CFR 351.305(a)(3). Timely notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: September 4, 2008.

**David M. Spooner**

*Assistant Secretary for Import Administration.*

#### Appendix

1. Zeroing of Negative Margins
2. Model-Matching Methodology
3. Collapsing and Successor in Interest
4. Inventory Carrying Costs
5. Calculation of Cost of Production/  
Constructed Value and Use of AFA
6. Rate for Respondent Not Selected
7. Miscellaneous Issues
  - A. 15-Day Issuance of Liquidation Instructions
  - B. CEP Profit
  - C. Decision Not to Verify JTEKT's and NTN's Cost Data
  - D. BPI Treatment for Dumping Duties and Net Value of Sales
8. Clerical Errors

[FR Doc. E8-21137 Filed 9-10-08; 8:45 am]

**BILLING CODE 3510-DS-P**

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### The Manufacturing Council: Meeting

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of a meeting.

**SUMMARY:** The Manufacturing Council will hold a meeting to deliberate for approval a draft letter of recommendation on Sustainable Manufacturing metrics.

**DATES:** September 23, 2008.

*Location:* Rochester, NY.

*Additional Information:* A supplemental notice will be issued in the near future with the exact address and time of the meeting. The date and address will also be posted on the Council's Web site at <http://www.manufacturing.gov/council> as soon as they are available.

**FOR FURTHER INFORMATION CONTACT:** The Manufacturing Council Executive Secretariat, Room 4043, Washington, DC 20230 (Phone: 202-482-1369), or visit the Council's Web site at <http://www.manufacturing.gov/council>.

Dated: September 5, 2008.

**Kate Sigler,**

*Executive Secretary, The Manufacturing Council.*

[FR Doc. E8-21073 Filed 9-10-08; 8:45 am]

**BILLING CODE 3510-DR-P**

#### DEPARTMENT OF COMMERCE

##### National Institute of Standards and Technology

##### Notice of Inventions Available for Licensing

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice of Inventions Available for Licensing.

**SUMMARY:** The inventions listed below are owned in whole or part by the U.S. Government, as represented by the Secretary of Commerce. The U.S. Government's interest in these inventions is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR Part 404 to achieve expeditious commercialization of results of federally funded research and development.

#### FOR FURTHER INFORMATION CONTACT:

Technical and licensing information on these inventions may be obtained by writing to: National Institute of Standards and Technology, Office of Technology Partnerships, Attn: Mary Clague, Building 222, Room A240, Gaithersburg, MD 20899. Information is also available via telephone: 301-975-4188, fax 301-975-3482, or e-mail: [mary.clague@nist.gov](mailto:mary.clague@nist.gov). Any request for information should include the NIST Docket number and title for the invention as indicated below.

**SUPPLEMENTARY INFORMATION:** NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the inventions for purposes of commercialization. The inventions available for licensing are:

[NIST Docket Number: 00-013US]

*Title:* Mode-Locked Pulsed Laser System and Method.

*Abstract:* The invention is a system and method for stabilizing the carrier-envelope phase of the pulses emitted by a femtosecond mode-locked laser by using the powerful tools of frequency-domain laser stabilization. Control of the pulse-to-pulse carrier-envelope phases was confirmed using temporal cross correlation. This phase stabilization locks the absolute frequencies emitted by the laser, which is used to perform absolute optical frequency measurements that were