

§ 358.103 Importation of supplies.

(a) Where the President, acting under section 318 of the Act, authorizes the Secretary to permit the importation of supplies for use in emergency relief work free of antidumping and countervailing duties, the Secretary shall consider requests for such importation under the following conditions:

(1) Before importation, a written request shall be submitted to the Secretary by the person in charge of sending the subject merchandise from the foreign country or by the person for whose account it will be brought into the United States. Three copies of the request should be submitted to the Secretary of Commerce, Attention: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230.

(2) The request shall state the Department antidumping and/or countervailing duty order case number, the producer of the merchandise, a detailed description of the merchandise, the current HTS number, the price in the United States, the quantity, the proposed date of entry, the proposed port of entry, the mode of transport, the person for whose account the merchandise will be brought into the United States, the destination, the use to be made of the merchandise at the designated destination, and any other information the person would like the Secretary to consider.

(b) If the Secretary determines to permit duty-free importation of particular merchandise for use in emergency relief work, the Secretary will notify the person who submitted the request, instruct CBP to allow entry of the merchandise identified in the request submitted under paragraph (a) without regard to antidumping and countervailing duties, and post notification of the determination on the Department's website.

(c) Any subject merchandise entered under paragraph (b) of this section must enter the United States normally within 60 days after the date on which the Secretary notifies the person who submitted the request or the merchandise will be subject to antidumping and/or countervailing duties, as applicable.

(d) Any subject merchandise entered under paragraph (b) of this section which is used in the United States other than for a purpose contemplated for it by section 318(a) of the Act may be subject to seizure or other penalty, including under section 592 of the Act.

(e) Any subject merchandise entered under paragraph (b) of this section is

subject to the Department's reporting requirements in its conduct of an antidumping and/or countervailing duty administrative or new shipper review, as applicable.

(f) Any subject merchandise entered under paragraph (b) of this section will be excluded from:

(1) The calculation of assessment and cash deposit rates in an administrative or new shipper review under section 751(a) of the Act;

(2) "Commercial quantities" under 19 CFR 351.222; and

(3) The quantity allowed by, or revised price requirements established pursuant to, a suspension agreement under section 704 or section 734 of the Act, as applicable.

§ 358.104 Report.

The Secretary will review and issue a report on the first five years of the operation of Part 358. The report will consider the impact of determinations to permit importation of particular merchandise for use in emergency relief work under this Part, on U.S. parties injured by dumped and/or subsidized imports.

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INTER-AMERICAN FOUNDATION**22 CFR Parts 1002 and 1005****Change of Address and Other Agency Contact Information; Technical Amendments**

AGENCY: Inter-American Foundation.

ACTION: Final rule; technical amendments.

SUMMARY: The Inter-American Foundation (IAF) is amending its regulations to reflect a change in the agency's address, as well as in the contact office for requesting access to agency records and the hours during which staff may be reached. This action is editorial in nature and is intended to increase the accuracy of the IAF's regulations.

DATES: *Effective Date:* October 30, 2006.

FOR FURTHER INFORMATION CONTACT: Rebecca Verreau, Office of the General Counsel, Inter-American Foundation, 901 N. Stuart St., 10th Floor, Arlington, VA 22203, rverreau@iaf.gov or 703-306-4301.

SUPPLEMENTARY INFORMATION:**I. Background**

The IAF is amending its regulations to reflect a change in the agency's address.

The amendments also reflect changes in the contact office for requesting access to agency records from the Administration and Finance Division to the Office of the General Counsel and an increase in the hours of availability of IAF staff to respond to such requests. Publication of this document constitutes final action on these changes under the Administrative Procedure Act (5 U.S.C. 553). Notice and public procedures are unnecessary because the IAF is correcting nonsubstantive errors only.

II. Rulemaking Analyses and Notices

Because the amendments made by this document relate to management, organization, and practice, prior notice and opportunity for comment are unnecessary under 5 U.S.C. 553(b)(3)(A). In addition, prior notice and opportunity for comment are unnecessary pursuant to 5 U.S.C. 553(b)(3)(B) because the process of amending and updating the sections is merely technical in nature and proposes no substantive changes to which public comment could be solicited.

This final rule is made effective upon publication in the **Federal Register**. The IAF finds that good cause exists for this final rule to be exempt from the 30-day delayed effective date requirement of 5 U.S.C. 553(d) because a delay in effective date is unnecessary and would not be in the public interest.

List of Subjects*22 CFR Part 1002*

Administrative practice and procedure, Availability of agency records.

22 CFR Part 1005

Administrative practice and procedure, Prohibition of discrimination against persons with disabilities in IAF programs and activities.

■ Therefore, the IAF amends 22 CFR parts 1002 and 1005 as set forth below:

PART 1002—AVAILABILITY OF RECORDS

■ 1. The authority citation for part 1002 continues to read as follows:

Authority: 5 U.S.C. 552, and 31 U.S.C. 483(a).

§ 1002.3 [Amended]

■ 2. Section 1002.3 is amended by:

■ A. Removing "10 a.m. and 4 p.m." and adding in its place "9 a.m. and 5 p.m."

■ B. By removing "1515 Wilson Boulevard, Arlington, VA 22209" and adding in its place "901 N. Stuart St., 10th Floor, Arlington, VA 22203".

■ C. By removing “Director, Administration and Finance Division (A&F Director)” and adding in its place “General Counsel, Office of the General Counsel (General Counsel’s Office)”.

■ D. By removing “Office of A&F” and adding in its place “General Counsel’s Office”.

§ 1002.4 [Amended]

■ 3. Section 1002.4 is amended in paragraph (a) by removing “Director, Administration & Finance Division, Inter-American Foundation, Fifth Floor, 1515 Wilson Boulevard, Arlington, VA 22209” and adding in its place “General Counsel, Inter-American Foundation, 901 N. Stuart St., 10th Floor, Arlington, VA 22203”.

§ 1002.5 [Amended]

■ 4. Section 1002.5 introductory text is amended by removing “Administration and Finance Division” and adding in its place “General Counsel’s Office”.

§ 1002.7 [Amended]

■ 5. Section 1002.7 is amended in paragraph (a) by removing “A&F Director” and adding in its place “General Counsel”.

PART 1005—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE INTER-AMERICAN FOUNDATION

■ 6. The authority citation for part 1005 continues to read as follows:

Authority: 29 U.S.C. 794.

§ 1005.170 [Amended]

■ 7. Section 1005.170(c) is amended by removing “1515 Wilson Boulevard, Rosslyn, Virginia 22209” and adding in its place “901 N. Stuart St., 10th Floor, Arlington, VA 22203”.

Dated: October 13, 2006.

Jennifer R. Hodges,
General Counsel.

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INTER-AMERICAN FOUNDATION

22 CFR Part 1004

Rules for Implementing Open Meetings Within the Inter-American Foundation

AGENCY: Inter-American Foundation.

ACTION: Final rule; clarifying amendments.

SUMMARY: The Inter-American Foundation (IAF) is re-issuing and updating its rules for implementing

open meetings, in accordance with 5 U.S.C. 552b. This rule promotes public understanding of the decisionmaking processes of the IAF, while protecting the rights of individuals and the ability of the agency to carry out its responsibilities. This action is technical and procedural in nature and is intended to provide accuracy and clarity to the agency’s existing regulations.

DATES: *Effective Date:* October 30, 2006.

FOR FURTHER INFORMATION CONTACT:

Rebecca Verreau, Office of the General Counsel, 901 N. Stuart St., 10th Floor, Arlington, VA 22203, rverreau@iaf.gov or (703) 306-4301.

SUPPLEMENTARY INFORMATION:

I. Background

The Inter-American Foundation (IAF) is updating its rules for implementing open meetings, in accordance with 5 U.S.C. 552b. This final rule amends and updates existing IAF regulations in conformance with 5 U.S.C. 552b.

II. Rulemaking Analyses and Notices

Because the amendments made by this document relate to management, organization, procedure, and practice, prior notice and opportunity for comment are unnecessary under 5 U.S.C. 553(b)(3)(A). In addition, prior notice and opportunity for comment are unnecessary pursuant to 5 U.S.C. 553(b)(3)(B) because the process of amending and updating the sections is merely technical and procedural in nature and proposes no substantive changes to which public comment could be solicited.

This final rule is made effective upon publication in the **Federal Register**. The IAF finds that good cause exists for this final rule to be exempt from the 30-day delayed effective date requirement of 5 U.S.C. 553(d) because a delay in effective date is unnecessary and would not be in the public interest.

III. Statutory and Executive Order Reviews

A. Executive Order 12866 (Regulatory Planning and Review)

The IAF has determined this action does not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866. Therefore, this rule has not been reviewed by the Office of Management and Budget (OMB). We anticipate the economic impact of this rulemaking will be so minimal that a full regulatory evaluation is unnecessary.

B. Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (5 U.S.C. 601-612), as

amended by the Small Business Regulatory Enforcement and Fairness Act (Pub. L. 104-121), we have evaluated the effects of this rule on small entities. Based on this evaluation, the IAF hereby certifies this action will not have a significant economic impact on a substantial number of small entities. No substantive changes are being made to the regulations that would affect small entities.

C. Unfunded Mandates Reform Act of 1995

The IAF has determined that the requirements of Title II of the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4; 2 U.S.C. 1532) do not apply to this rulemaking.

D. Executive Order 12372

(Intergovernmental Review)

The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this rulemaking.

E. Executive Order 13132 (Federalism Assessment)

The IAF has analyzed this action in accordance with the principles and criteria contained in Executive Order 13132 published at 64 FR 43255 (Aug. 10, 1999). The regulations amended and updated by the IAF herein do not preempt State authority or jurisdiction, or establish any conflicts with existing State roles. The IAF has therefore determined this rule does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

F. Executive Order 12630 (Taking of Private Property)

This rule will not effect a taking of private property or otherwise have takings implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

G. Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

H. Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35)

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of