

physical examination requirements specified in 46 CFR 10.205(d), up to and including suspension or revocation of the mariner's credential in accordance with Title 46 CFR Part 5. The Coast Guard may also initiate appropriate administrative action, up to and including suspension or revocation of the mariner's credential in accordance with 46 CFR Part 5, if any first class pilot—or any other individual “serving as” a pilot (as described above)—fails to submit their annual physical examination to the Coast Guard.

Individuals with pilot licenses, pilot endorsements, master licenses and mate licenses (and individuals applying for those credentials) who do not in fact serve as a first class pilot or otherwise “serve as” a pilot in accordance with 46 CFR 15.812(b)(3) & (c) do not need to submit an annual physical examination to the Coast Guard pursuant to 46 CFR 10.709(e); however, these individuals must submit an annual physical examination before serving as a first class pilot or otherwise “serving as” a pilot in accordance with 46 CFR 15.812(b)(3) & (c).

Dated: September 21, 2006.

**J. G. Lantz,**

*Director of National and International Standards, Assistant Commandant for Prevention.*

[FR Doc. 06–8306 Filed 9–22–06; 4:33 pm]

BILLING CODE 4910–15–P

## DEPARTMENT OF HOMELAND SECURITY

### Customs and Border Protection

#### Notice of Withholding of Certain Distributions on Continued Dumping and Subsidy Offset to Affected Domestic Producers

**AGENCY:** Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of the withholding of certain offset distributions for Fiscal Year 2006 and subsequent years.

**SUMMARY:** This document notifies the public that Customs and Border Protection (CBP), consistent with the Court of International Trade's recent decision in *Canadian Lumber Trade Alliance et al. v. United States*, will be withholding distributions under the Continued Dumping and Subsidy Offset Act of 2000 that derive from antidumping and countervailing duties assessed on goods from Canada or Mexico. Fiscal year 2006 CDSOA distributions that derive from antidumping or countervailing duties on

other than Canadian or Mexican goods are not affected.

**DATES:** *Effective Date:* September 28, 2006.

**FOR FURTHER INFORMATION CONTACT:** Leigh Redelman, Revenue Division, Programs Branch, Office of Finance, (317) 614–4462.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Court of International Trade (CIT) held in *Canadian Lumber Trade Alliance et al. v. United States*, Slip Op. 06–48 (April 7, 2006) (CLTA I) and Slip Op. 06–104 (July 14, 2006) (CLTA II), that pursuant to Section 408 of the North American Free Trade Agreement Implementation Act (codified at 19 U.S.C. 3438), the Continued Dumping and Subsidy Offset Act of 2000 (CDSOA) (codified at 19 U.S.C. 1675c) does not apply to antidumping and countervailing duties assessed on imports of goods from Canada or Mexico.

Specifically, the CIT held in CLTA I that the Commissioner of Customs and Border Protection (CBP) “has no authority either under an Act of Congress or under the Constitution” to make distributions that derive from antidumping and countervailing duties assessed on goods from Canada or Mexico, and that the Commissioner's actions in having previously distributed such funds were “ultra vires and therefore unlawful.”

Consequently, pending the outcome of any appeal, CBP will withhold fiscal year 2006 and subsequent years' CDSOA distributions to the extent they derive from duties assessed pursuant to countervailing duty orders, antidumping duty orders, or findings under the Antidumping Act of 1921, on imports of goods from Canada or Mexico. Any funds inadvertently distributed under these cases for fiscal year 2006 or subsequent years will be subject to immediate recovery under applicable statutes and regulations, including 19 CFR 159.64.

Fiscal year 2006 CDSOA distributions that derive from antidumping or countervailing duties on other than Canadian or Mexican goods will be made in accordance with established procedures in accordance with the “Notice of intent to distribute offset for Fiscal Year 2006,” as published in the **Federal Register** (71 FR 31336) on June 1, 2006.

Dated: September 22, 2006.

**Deborah J. Spero,**

*Acting Commissioner, Customs and Border Protection.*

[FR Doc. E6–15886 Filed 9–27–06; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Bureau of Customs and Border Protection

[Docket No. USCBP–2006–0116]

#### Notice of Meeting of The Departmental Advisory Committee on Commercial Operations of Customs and Border Protection and Related Homeland Security Functions (COAC)

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security (DHS).

**ACTION:** Notice of meeting.

**SUMMARY:** The Departmental Advisory Committee on Commercial Operations of U.S. Customs and Border Protection and Related Homeland Security Functions (popularly known as “COAC”) will meet in open session.

**DATES:** Thursday, November 9, 2006, 9 a.m. to 1 p.m.

**ADDRESSES:** The meeting will be held at U.S. Customs and Border Protection, Office of Field Operations, One Penn Plaza, Suite 1100, New York, NY. If you desire to submit comments, they must be submitted by November 2, 2006. Comments must be identified by USCBP–2006–0116 and may be submitted by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* [traderelations@dhs.gov](mailto:traderelations@dhs.gov). Include docket number in the subject line of the message.
- *Mail:* Ms. Wanda Tate, Office of Trade Relations, U.S. Customs and Border Protection, Department of Homeland Security, Washington, DC 20229.
- *Facsimile:* 202–344–1969.

**Instructions:** All submissions received must include the words “Department of Homeland Security” and the docket number for this action. Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

**Docket:** For access to the docket to read background documents or comments received by the COAC, go to <http://www.regulations.gov>.