

'074 patent, and certain claims of the '867 patent, which was asserted in the 481 investigation. That ID was not reviewed by the Commission. 68 FR 44967 (July 31, 2003).

On November 10, 2003, the ALJ issued an ID (Order No. 38) granting complainant's motion to terminate the *Display Controllers II* investigation with respect to Trumpion. In the same ID the ALJ terminated the investigation with respect to the '922 patent and the '074 patent. That ID was not reviewed by the Commission.

On April 14, 2004, the ALJ issued his final ID ("the 491 Final ID") and recommended determination on remedy and bonding in *Display Controllers II*. The ALJ found a violation of section 337 in the 491 Final ID with respect to respondent MStar, but no violation with respect to respondent MRT.

On May 20, 2004, the ALJ issued an ID on remand in *Display Controllers I* ("the 481 Remand ID"). The ALJ found a violation of section 337 in the 481 Remand ID with respect to both respondents in *Display Controllers I*, MRT and Trumpion.

On May 21, 2004, the Commission issued an order consolidating the 481 and 491 investigations. On July 6, 2004, the Commission determined to review portions of the 481 Remand ID and portions of the 491 Final ID. 69 FR 41846.

On August 20, 2004, the Commission issued a limited exclusion order in which the Commission determined that there was a violation of Section 337 in the unlawful importation and sale by respondents MRT, Trumpion, and MStar of display controllers and products containing same by reason of infringement of, inter alia, claims 2, 33-35, and 36 of the '867 patent. On August 27, 2004, the Commission issued its Opinion ("the 481/491 Opinion," or "Consolidated Opinion") in which it explained the basis for its determination. MStar appealed the Commission's determination on violation relating to the '867 patent to the U.S. Court of Appeals for the Federal Circuit. The Commission's determination was affirmed on May 25, 2006. *MStar v. U.S. Int'l Trade Comm'n*, 2006 WL 1476137 (Fed. Cir. 2006).

On April 24, 2006, complainant Genesis filed a complaint for enforcement proceedings under Commission Rule 210.75. Genesis asserts that respondent MStar has violated the Commission's limited exclusion order by importing its Tsunami display controllers into the United States.

The Commission, having examined the complaint seeking a formal

enforcement proceeding, and having found that the complaint complies with the requirements for institution of a formal enforcement proceeding contained in Commission rule 210.75, has determined to institute formal enforcement proceedings to determine whether MStar is in violation of the Commission's limited exclusion order issued in the investigation, and what, if any, enforcement measures are appropriate. The Commission has directed the ALJ not to consider Genesis' request for monetary penalties for any violation of the limited exclusion order in light of *Certain Lens-Fitted Film Packages*, Inv. No. 337-TA-406 (Consolidated Enforcement and Advisory Opinion Proceedings) Commission Opinion at 12 (June 23, 2003). The following entities are named as parties to the formal enforcement proceeding: (1) Complainant Genesis, (2) respondent MStar, and (3) a Commission investigative attorney to be designated by the Director, Office of Unfair Import Investigations.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in § 210.75 of the Commission's Rules of Practice and Procedure (19 CFR 210.75).

Issued: June 23, 2006.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 06-5810 Filed 6-28-06; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-1104 (Preliminary)]

Certain Polyester Staple Fiber From China

AGENCY: United States International Trade Commission.

ACTION: Institution of antidumping investigation and scheduling of a preliminary phase investigation.

SUMMARY: The Commission hereby gives notice of the institution of an investigation and commencement of preliminary phase antidumping investigation No. 731-TA-1104 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act) to determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury, or the establishment of an industry in the United States is

materially retarded, by reason of imports from China of certain polyester staple fiber¹, provided for in subheading 5503.20.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value. Unless the Department of Commerce extends the time for initiation pursuant to section 732(c)(1)(B) of the Act (19 U.S.C. 1673a(c)(1)(B)), the Commission must reach a preliminary determination in antidumping investigations in 45 days, or in this case by August 7, 2006. The Commission's views are due at Commerce within five business days thereafter, or by August 14, 2006.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and B (19 CFR part 207).

Dates: *Effective Date:* June 23, 2006.

FOR FURTHER INFORMATION CONTACT: Jeremy Wise (202-205-3190), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

¹ The merchandise subject to this proceeding is synthetic staple fibers, not carded, combed or otherwise processed for spinning, of polyester, measuring 3.3 decitex (3 denier) or more. This merchandise is cut to lengths varying from one inch (25 mm) to five inches (127 mm). The subject merchandise may be coated, usually with a silicon or other finish, or not coated. PSF is generally used as stuffing in sleeping bags, mattresses, ski jackets, comforters, cushions, pillows, and furniture.

The following products are excluded from the scope: (1) PSF of less than 3.3 decitex (less than 3 denier) currently imported under HTS statistical reporting number 5503.20.0025, known to the industry as PSF for spinning and generally used in woven and knit applications to produce textile and apparel products; (2) PSF of 10 to 18 denier that are cut to lengths of 6 to 8 inches and that are generally used in the manufacture of carpeting; and (3) low-melt PSF, defined as bi-component fiber with an outer, non-polyester sheath that melts at a significantly lower temperature than its inner polyester core (HTS 5503.20.0015).

Certain PSF is imported under statistical reporting numbers 5503.20.0045 and 5503.20.0065 of the Harmonized Tariff Schedule of the United States.

SUPPLEMENTARY INFORMATION:

Background. This investigation is being instituted in response to a petition filed on June 23, 2006, by DAK Americas, LLC, Charlotte, NC; Nan Ya Plastics Corporation, America, Lake City, SC; and Wellman, Inc., Shrewsbury, NJ.

Participation in the investigation and public service list. Persons (other than petitioners) wishing to participate in the investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in §§ 201.11 and 207.10 of the Commission's rules, not later than seven days after publication of this notice in the **Federal Register**. Industrial users and (if the merchandise under investigation is sold at the retail level) representative consumer organizations have the right to appear as parties in Commission antidumping investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to this investigation upon the expiration of the period for filing entries of appearance.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list. Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in this investigation available to authorized applicants representing interested parties (as defined in 19 U.S.C. 1677(9)) who are parties to the investigation under the APO issued in the investigation, provided that the application is made not later than seven days after the publication of this notice in the **Federal Register**. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Conference. The Commission's Director of Operations has scheduled a conference in connection with this investigation for 9:30 a.m. on July 14, 2006, at the U.S. International Trade Commission Building, 500 E Street, SW., Washington, DC. Parties wishing to participate in the conference should contact Jeremy Wise (202-205-3190) not later than July 7, 2006, to arrange for their appearance. Parties in support of the imposition of antidumping duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the conference.

Written submissions. As provided in §§ 201.8 and 207.15 of the Commission's rules, any person may submit to the Commission on or before July 19, 2006, a written brief containing information and arguments pertinent to the subject matter of the investigation. Parties may file written testimony in connection with their presentation at the conference no later than three days before the conference. If briefs or written testimony contain BPI, they must conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by § 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

In accordance with §§ 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: This investigation is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.
Issued: June 23, 2006.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 06-5811 Filed 6-28-06; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

June 22, 2006.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by

contacting Ira Mills at the Department of Labor on 202-693-4122 (this is not a toll-free number) or e-mail: Mills.Ira@dol.gov. This ICR can also be accessed online at <http://www.doleta.gov/OMBCN/OMBControlNumber.cfm>.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Employment and Training Administration (ETA).

Type of Review: Extension of a currently approved collection.

Title: Benefit Accuracy Measurement (BAM) Program.

OMB Number: 1205-0245.

Frequency: Weekly.

Type of Response: Reporting.

Affected Public: Individuals or households; business or other for-profit; not-for-profit institutions; farms; Federal Government; State, local, or tribal government.

Type of Response: Reporting.

Number of Respondents: 188,984.

Annual Responses: 47,160.

Average Response time: 63.1 hours.

Total Annual Burden Hours: 429,805.
Total Annualized Capital/Startup Costs: 38.4.

Total Annual Costs (operating/maintaining systems or purchasing services): 504.0.

Description: The Department of Labor is revising its Benefit Accuracy Measurement program to modify the data collection methodology because of a program change. The BAM program