

The final EIS is scheduled to be completed in August 1998. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Sonny O'Neal, Forest Supervisor, Wenatchee National Forest, is the responsible official. As the responsible official he will document the decision and reasons for the decision in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations 36 CFR Part 215.

Dated: July 28, 1997.

Elton Thomas,

Natural Resources Group Leaders.

[FR Doc. 97-21543 Filed 8-13-97; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Decision and Order

In the Matter of: Ian Ace, with addresses at 4 Mimosa Way, Pinelands, South Africa, A. Rosenthal (PTY) Ltd., P.O. Box 3721, 13 Loop Street, Cape Town, South Africa, and A. Rosenthal (PTY) Ltd., P.O. Box 44198, 65 7th Street, Denmyr Building, 2104 Linden, South Africa, Respondent.

Decision and Order

On November 27, 1995, the Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (hereinafter "BXA"), issued a charging letter initiating an administrative proceeding against Ian Ace. The charging letter alleged that Ian Ace committed seven violations of the Export Administration Regulations (currently codified at 15 C.F.R. parts 730-774 (1997)) (hereinafter the "Regulations"),¹ issued pursuant to the Export Administration Act of 1979, as amended (50 U.S.C. app. sections 2401-2420) (hereinafter the "Act").²

¹ The violations at issue occurred between mid-1990 and early 1992. The Regulations governing those violations are found in the 1990, 1991, and 1992 versions of the Code of Federal Regulations (15 C.F.R. parts 768-799 (1990, 1991, and 1992)) and are referred to hereinafter as the former Regulations. Since that time, the Regulations have been reorganized and restructured; the restructured Regulations, currently codified at 15 C.F.R. Parts 730-774 (1997), establish the procedures that apply to the matters set forth in this Decision and Order.

² The Act expired on August 20, 1994. Executive Order 12924 (3 C.F.R. 1994 Comp. 917 (1995)), extended by Presidential Notices of August 15, 1995 (3 C.F.R. 1995 Comp. 501 (1996)) and August 14, 1996 (3 C.F.R., 1996 Comp. 298 (1997)), continued

Specifically, the charging letter alleged that, between mid-1990 and early 1992, Ace, manager of A. Rosenthal (PTY) Ltd., Cape Town, South Africa, conspired with James L. Stephens, president and co-owner of Weisser's Sporting Goods, National City, California, and Karl Cording, co-owner and managing director of A. Rosenthal (PTY) Ltd., Windhoek, Namibia, to export and, on two separate occasions, actually exported U.S.-origin shotguns, with barrel lengths of 18 inches and over, to Namibia and South Africa, without applying for and obtaining from the U.S. Department of Commerce the validated export licenses Ace knew or had reason to know were required under the Act and Regulations. In addition, BXA alleged that, in furtherance of the conspiracy, and in connection with each of those exports, Ace made false or misleading representations of material fact to a U.S. Government Agency in connection with the preparation, submission, or use of export control documents. BXA alleged that, in so doing, Ace committed one violation of Section 787.3(b), two violations of Section 787.4(a), two violations of Section 787.5(a), and two violations of Section 787.6 of the former Regulations, for a total of seven violations of the former Regulations.

BXA issued a charging letter to Ace at his residential address in Pinelands, South Africa, and at his business address in Linden, South Africa. BXA has presented evidence that Ace was served with notice of issuance of the charging letter at his Linden, South Africa, business address on December 9, 1995.³ Ace failed to answer the charging letter. Thus, on June 26, 1997, pursuant to Section 766.7 of the Regulations, BXA moved that the Administrative Law Judge find that facts to be as alleged in the charging letter and render a Recommended Decision and Order.

Following BXA's motion, on July 8, 1997, Chief Administrative Law Judge Joseph A. Angel issued a Recommended Decision and Default Order in which he found the facts to be as alleged in the charging letter. He concluded that those facts constituted violations of the Act and Regulations. The Administrative Law Judge also concurred with BXA's recommendation that the appropriate

the Regulations in effect under the International Emergency Economic Powers Act (currently codified at 50 U.S.C. 1701-1706).

³ The copy of the charging letter addressed to Ace at his residential address was returned to BXA during April 1996. (It had been marked by South African postal authorities as "Unclaimed".) On April 24, 1996, BXA sent a copy of the November 27, 1995 charging letter to Ace at a second business address in Cape Town, South Africa. Ace received this copy of the charging letter on June 13, 1996.

penalty to be imposed for these violations is a denial, for a period of 20 years, of all of Act's export privileges. As provided by Section 766.22(a) of the Regulations, the Administrative Law Judge referred the Recommended Decision and Order to me for final action.

Based on my review of the entire record, I affirm the findings of fact and conclusions of law in the Recommended Decision and Order of the Administrative Law Judge. I believe that the Administrative Law Judge's recommended denial of export privileges for 20 years is appropriate. This case is aggravated by the fact that Ace violated export controls that were designed to express U.S. abhorrence with apartheid as then practiced in South Africa. These violations were serious and undetermined important U.S. foreign policy interests. A lengthy period of denial will help keep U.S.-origin items out of his hands and make future violations less likely. Finally, this penalty is, as the Administrative Law Judge explained, consistent with the penalties received by the other participants in these violations.

Accordingly, it is therefore ordered, First, that for a period of 20 years from the date of this Order, Ian Ace, with the following addresses, 4 Mimosa Way, Pinelands, South Africa; A. Rosenthal (PTY) Ltd., P.O. Box 3721, 13 Loop Street, Cape Town, South Africa; and A. Rosenthal (PTY) Ltd., P.O. Box 44198, 65 7th Street, Denmyr Building, 2104 Linden, South Africa, may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations;

or
C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by a denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and that is owned, possessed or controlled by a denied person, or service any item, of whatever origin, that is owned, possessed or controlled by a denied person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, that after notice and opportunity for comment as provided in § 766.23 of the Regulations, any person, firm, corporation, or business organization related to the denied person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

Fourth, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

Fifth, that a copy of this Order shall be served on Ace and BXA, and shall be published in the **Federal Register**.

This Order, which constitutes final agency action in this matter, is effective immediately.

Dated: August 8, 1997.

William A. Reinsch,

Under Secretary for Export Administration.
[FR Doc. 97-21453 Filed 8-13-97; 8:45 am]

BILLING CODE 3510-DT-M

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-502]

Notice of Extension of Time Limit for Antidumping Duty Administrative Review of Certain Circular Welded Carbon Steel Pipes and Tubes From Thailand

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

EFFECTIVE DATE: August 14, 1997.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for the final results of the antidumping duty administrative review for the antidumping order on Certain Circular Welded Carbon Steel Pipes and Tubes from Thailand, pursuant to the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (hereinafter, "the Act").

FOR FURTHER INFORMATION CONTACT: John Totaro or Dorothy Woster, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone (202) 482-1398 or 482-3362, respectively.

SUPPLEMENTARY INFORMATION: Under § 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of an administrative review if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. In the instant case, the Department has determined that it is not practicable to complete this review within the statutory time limit. See Memorandum from Joseph A. Spetrini to Robert S. LaRussa (August 7, 1997).

Because it is not practicable to complete this review within the time limits mandated by the Act (245 days from the last day of the anniversary month for preliminary results, 120 days after publication of the preliminary determination for final results), in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for the final results until October 7, 1997.

Dated: August 8, 1997.

Roland L. MacDonald,

Executive Director, AD/CVD Enforcement Office VII.

[FR Doc. 97-21582 Filed 8-13-97; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-820]

Notice of Final Results of Antidumping Duty Administrative Review: Ferrosilicon From Brazil

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

SUMMARY: On April 8, 1997, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on Ferrosilicon from Brazil. This review covers exports of this merchandise to the United States by two manufacturers/exporters, Companhia Brasileira Carbureto de Calcio ("CBCC") and Companhia Ferroligas Minas Gerais-Minasligas ("Minasligas"), during the period March 1, 1995, through February 29, 1996.

We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received and the correction of certain clerical and computer programming errors, we have changed our results from those presented in our preliminary results, as described below in the comment section of this notice. The final results are listed below in the section "Final Results of Review."

EFFECTIVE DATE: August 14, 1997.

FOR FURTHER INFORMATION CONTACT: Cameron Werker or Sal Tauhidi, AD/CVD Enforcement Group II, Office Four, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3874 and (202) 482-4851, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act), by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the