

under Section 5703 of Title 5 of the United States Code (U.S.C.).

The RPC provides advice related to the performance of discretionary functions under the laws governing the Department's management of Federal and Indian mineral leases and revenues. The RPC reviews and comments on minerals revenue management and other mineral-related policies and provides a forum to convey views representative of mineral lessees, operators, revenue payors, revenue recipients, governmental agencies, and the interested public. The location and dates of future RPC meetings and other information will be published in the **Federal Register** and posted on our Internet Web site at http://www.mms.gov/mmab/RoyaltyPolicyCommittee/rpc_homepage.htm. Meetings are open to the public without advanced registration, on a space-available basis. The public may make statements during the meetings, to the extent time permits, and file written statements with the RPC for its consideration. Copies of these written statements should be submitted to Ms. Dan. The RPC meetings are conducted under the authority of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 1) and the Office of Management and Budget (Circular No. A-63, revised).

All correspondence, records, or information received in response to this notice are subject to disclosure under the Freedom of Information Act (FOIA). All information provided will be made public unless the respondent identifies which portions are proprietary. Please highlight the proprietary portions or mark the page(s) that contain proprietary data. Proprietary information is protected by the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1733), FOIA (5 U.S.C. 552(b)(4)), the Indian Minerals Development Act of 1982 (25 U.S.C. 2103) and Department regulations (43 CFR part 2).

Dated: June 15, 2006.

Shirley M. Conway,

Acting Associate Director for Minerals Revenue Management.

[FR Doc. E6-10767 Filed 7-10-06; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-554]

In the Matter of Certain Axle Bearing Assemblies, Components Thereof, and Products Containing the Same; Notice of a Commission Determination Not To Review an Initial Determination Terminating the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") of the presiding administrative law judge ("ALJ") granting the motion of complainant and respondents to terminate the investigation on the basis of a settlement agreement.

FOR FURTHER INFORMATION CONTACT:

Michael K. Haldenstein, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-3041. Copies of the public version of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 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-ON-LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 28, 2005, based on a complaint filed pursuant to section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by NTN Corporation of Osaka, Japan ("NTN"). 70 FR 71330 (November 28, 2005). The complaint, as supplemented, alleged violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain axle bearing assemblies, components thereof, and products containing the same by reason of infringement of claim 1 of U.S. Patent No. 5,620,263. The complaint further

alleged that an industry in the United States exists as required by subsection (a)(2) of section 337. The complainant requested that the Commission issue a limited exclusion order and a cease and desist order. The Commission named ILJIN Bearing of Gyeongju City, Kyungbuk, Korea and ILJIN USA of Novi, Michigan (collectively, "ILJIN") as respondents in the investigation. 70 FR at 71331. The ALJ set December 28, 2006 as the target date for completion of the investigation. Order No. 3 (December 5, 2005). On December 21, 2005, the ALJ issued an ID replacing ILJIN Bearing with ILJIN Global as a respondent in the investigation. The Commission determined not to review that ID. 71 FR 3540 (January 23, 2006).

On June 12, 2006, complainant and respondents filed a joint motion seeking to terminate the investigation on the basis of a settlement agreement. On June 13, 2006, the Commission investigative attorney filed a response in support of the motion to terminate.

On June 14, 2006, the ALJ issued the subject ID (Order No. 28) granting the parties' joint motion and terminating the investigation on the basis of a settlement agreement. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

By order of the Commission.

Issued: July 6, 2006.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E6-10840 Filed 7-10-06; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-1092 and 1093 (Final)]

Diamond Sawblades and Parts Thereof From China and Korea

Determination

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury and the establishment of an industry in the United States is not

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

materially retarded, by reason of imports from China and Korea of diamond sawblades and parts thereof, provided for in subheading 8202.39.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).² thnsp;³

Background

The Commission instituted these investigations effective May 3, 2005, following receipt of a petition filed with the Commission and Commerce by the Diamond Sawblade Manufacturers' Coalition ("DSMC") and its individual members: Blackhawk Diamond, Inc., Fullerton, CA;⁴ Diamond B, Inc., Santa Fe Springs, CA; Diamond Products, Elyria, OH; Dixie Diamond, Lilburn, GA; Hoffman Diamond, Punxsutawney, PA; Hyde Manufacturing, Southbridge, MA; Sanders Saws, Honey Brook, PA; Terra Diamond, Salt Lake City, UT; and Western Saw, Inc., Oxnard, CA. The final phase of the investigations was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of diamond sawblades and parts thereof from China and Korea were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of January 20, 2006 (71 FR 3324). The hearing was held in Washington, DC, on May 16, 2006, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in these investigations to the Secretary of Commerce on July 5, 2006. The views of the Commission are contained in USITC Publication 3862 (July 2006), entitled *Diamond Products and Parts Thereof from China and Korea: Investigation Nos. 731-TA-1092 and 1093 (Final)*.

By order of the Commission.

² Vice Chairman Shara L. Aranoff and Commissioner Jennifer A. Hillman dissenting.

³ When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTS, diamond sawblades or parts thereof may be imported under HTS heading 8206.

⁴ Blackhawk Diamond ceased operations in January 2006.

Issued: July 5, 2006.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E6-10839 Filed 7-10-06; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

William G. Hamilton, Jr., M.D.; Revocation of Registration

Procedural History

On July 23, 2004, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to William G. Hamilton, M.D. (Respondent), which proposed to revoke his DEA Certificate of Registration AH8873588, as a practitioner, *see* 21 U.S.C. 824(a)(3), and to deny any pending applications for renewal or modification. *See* 21 U.S.C. 823(f). As grounds for the proceeding, the Show Cause Order alleged that on March 3, 2004, the Medical Board of California had suspended Respondent's state medical license and that Respondent was without state authorization to handle controlled substances in that state. The Show Cause Order notified Dr. Hamilton that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

On July 28, 2004, the Show Cause Order was sent by certified mail to Respondent at his home address in San Diego, California. However, the letter went unclaimed. On November 23, 2004, the Show Cause Order was sent via regular mail to Respondent at the same address, and on December 13, 2004, a DEA Diversion Investigator personally served him with the Order. At the time of personal service, Respondent acknowledged that he had received the Show Cause Order that was mailed to him on November 23, 2004. Subsequently, DEA has not received a request for a hearing or any other reply from Respondent or anyone purporting to represent him in this matter.

Therefore, finding that: (1) Thirty days have passed since the delivery of the Order To Show Cause to Respondent; and that (2) no request for a hearing has been received, I conclude that Respondent has waived his hearing right. *See James E. Thomas, M.D.*, 70 FR 3,564 (2005); *Steven A. Barnes, M.D.*, 69 FR 51,474 (2004); *David W. Linder*, 67 FR 12,579 (2002). After considering material from the investigative file in this matter, this final order is entered

without a hearing pursuant to 21 CFR 1301.43(d) & (e), and § 1301.46.

Discussion

I find that Respondent is currently registered with DEA as a practitioner authorized to handle controlled substances in Schedules III through V under Certificate of Registration AH8873588, with an expiration date of October 31, 2005. Respondent's registration, however, has remained in effect during these proceedings.

According to information in the investigative file, on March 3, 2004, a California State Administrative Law Judge (ALJ) issued an Order, which immediately suspended Respondent's Physician and Surgeon's Certificate. The suspension was based, in part, on the ALJ's finding that Respondent was unable to safely practice medicine due to a mental or physical condition. Since then, I have become aware of further proceedings involving Respondent's state medical license.

It has long been recognized that "[a]gencies may take official notice of facts at any stage in a proceeding—even in the final decision." U.S. Dept. of Justice, *Attorney General's Manual on the Administrative Procedure Act* 80 (1947) (Wm. W. Gaunt & Sons, Inc., Reprint 1979). Therefore, pursuant to 5 U.S.C. 556(e) and 21 CFR 1316.59(e), I hereby take official notice of the fact that on May 12, 2005, the State of California revoked Respondent's medical license.¹

Respondent has submitted no evidence showing that the State's revocation order has been stayed or vacated. Therefore, I find that Respondent is currently not authorized to practice medicine in the State of California, and that he is also without authorization to handle controlled substances in that state.

DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the State in which he practices medicine. *See* 21 U.S.C. 802(21), 823(f), & 824(a)(3). This prerequisite has been consistently

¹ In accordance with the Administrative Procedure Act and DEA's regulations, Respondent is "entitled on timely request, to an opportunity to show to the contrary." 5 U.S.C. 556(e). *See also* 21 CFR 1316.59(e). DEA's regulations contain no provision for requesting reconsideration of a final order. *See Robert A. Leslie, M.D.*, 60 FR 14004, 14005 (1995). To allow Respondent the opportunity to refute the facts of which I am taking official notice, publication of this final order shall be withheld for a fifteen-day period, which shall begin on the date of service by placing this order in the mail.