

**RECORD OF COMMENTS:
FOREIGN AVAILABILITY ASSESSMENT FOR UNCOOLED THERMAL IMAGING
CAMERAS IN CHINA**

Publish in Federal Register

[73 FR 51271](#)

Comments Due: September 17, 2008

COMMENT NUMBER	SOURCE	SIGNER(S) OF LETTER	DATE	NUMBER OF PAGES
1.	<u>3M</u>	Doug Hennessee	September 22, 2008	2

March 31, 2012. To apply for designation, contact the Compliance Division at the address listed above for forms and information, or obtain applications at the GIPSA Web site, <http://www.gipsa.usda.gov>.

Request for Comments

We are also publishing this notice to provide interested persons the opportunity to present comments on the quality of services provided by the Jamestown, Lincoln, Midsouth, and Sioux City official agencies. In the designation process, we are particularly interested in receiving comments citing reasons and pertinent data for support or objection to the designation of the applicants. Submit all comments to the Compliance Division at the above address or at <http://www.regulations.gov>.

In determining which applicant will be designated, we will consider applications, comments, and other available information.

Authority: 7 U.S.C. 71-87k.

James E. Link,

Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. E8-19538 Filed 8-29-08; 8:45 am]

BILLING CODE 3410-KD-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

[Docket No. 0808251149-81159-01]

Foreign Availability Assessment: Uncooled Thermal Imaging Cameras Incorporating Microbolometer Focal Plane Arrays

AGENCY: Bureau of Industry and Security, Department of Commerce.

ACTION: Notice of Initiation of a Foreign Availability Assessment and Request for Comments.

SUMMARY: This notice is to announce that the Bureau of Industry and Security (BIS) is initiating a foreign availability assessment pursuant to sections 5(f) and 5(h) of the Export Administration Act of 1979, as amended (EAA). The Office of Technology Evaluation (OTE) will oversee the assessment of the foreign availability in China of uncooled thermal imaging cameras incorporating microbolometer focal plane arrays. BIS is also seeking public comments on the foreign availability of these cameras in China.

DATES: Comments must be received by September 17, 2008.

ADDRESSES: You may submit comments by any of the following methods:

- **E-mail:** rhajen@bis.doc.gov. Include the phrase "Microbolometer FA Study" in the subject line;

- **Fax:** (202) 482-5361.

- **Mail or Hand Delivery/Courier:**

Ryan Hajen, Office of Technology Evaluation, Bureau of Industry and Security, U.S. Department of Commerce, Room 1093, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Kevin Kurland, Office of Technology Evaluation, Department of Commerce, Washington, DC 20230, Telephone: (202) 482-2385; e-mail: kkurland@bis.doc.gov.

SUPPLEMENTARY INFORMATION:

Background

Sections 5(f) and 5(h) of the Export Administration Act of 1979, as amended (EAA), authorizes the Secretary of Commerce to conduct foreign availability assessments to examine and reevaluate the effectiveness of U.S. dual-use export controls on certain items that are controlled for national security reasons under the Export Administration Regulations (EAR). The Bureau of Industry and Security (BIS) has been delegated the responsibility of conducting these assessments and compiling a final report for the Secretary's review and consideration when issuing a final foreign availability determination. Part 768 of the EAR sets forth the procedures related to foreign availability assessments. BIS is publishing this notice to announce the initiation of an assessment and to request public comments on certain aspects of the item under review.

Foreign Availability Assessment

On behalf of the Secretary, BIS has initiated an assessment in response to a certified foreign availability petition received from the Sensors and Instrumentation Technical Advisory Committee (SITAC). The SITAC petition asserts the foreign availability of uncooled thermal imaging cameras in China. These cameras incorporate microbolometer focal plane arrays operating in a spectral band between 8 and 14 microns, with a frame rate no higher than 60 Hz, and a pixel count of 110,592 or less. These items are currently controlled for national security reasons under Export Control Commodity Classification Number (ECCN) 6A003.b.4.b on the Commerce Control List (Supplement No. 1 to Part 774 of the EAR). The SITAC petition asserts that cameras of comparable quality to those subject to control under 6A003.b.4.b are available-in-fact from

China in sufficient quantities to render the U.S. export control of the cameras ineffective.

BIS has reviewed the SITAC petition and determined that it has sufficient evidence to show that foreign availability of these cameras exists. Therefore, BIS is initiating a foreign availability assessment of uncooled thermal imaging cameras incorporating microbolometer focal plane arrays. Upon completion of the assessment, BIS will submit its findings to the Secretary of Commerce, who in turn will issue a final determination for the Department. The final determination will be published in the Federal Register.

Request for Comments

To assist in assessing the foreign availability of these cameras, BIS is seeking public comments and submissions that relate to the following information:

- Product names and model designations of cameras that are made in China and that are comparable to the U.S. cameras with a spectral band between 8 and 14 microns, a frame rate of no more than 60 Hz, and a pixel count of 110,592 or less (U.S. cameras);
- Names and locations of Chinese companies that produce and export indigenously-produced cameras comparable to U.S. cameras;
- Chinese production quantities, sales, and/or exports of cameras comparable to U.S. cameras;
- Data on imports of Chinese cameras comparable to U.S. cameras, and/or testing and analysis of such cameras;
- An estimate of the economic impact on U.S. companies of the export controls on the U.S. cameras.

Any tangible evidence to support the above information would also be useful to BIS in its conduct of this assessment. Examples of other useful evidence are found in Supplement No. 1 to Part 768 of the EAR.

Submission of Comments

All comments must be submitted to the address indicated in this notice. The Department of Commerce requires that all comments be submitted in written form.

BIS encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close on September 17, 2008. BIS will consider all comments received before the close of the comment period. Comments received after the close of the comment period will be considered if possible, but their consideration cannot be assured.

BIS will accept comments or information accompanied by a request that part or all of the material be treated confidentially because of its proprietary nature. The information for which confidential treatment is requested must be submitted to BIS separately from non-confidential information. Each page containing company confidential information must be marked "Confidential Information." Please be careful to mark only that information that is legitimately company confidential, trade secret, proprietary, or financial information with the "confidential information" designation. If submitted information fails to meet the standards for confidential treatment, BIS will immediately return the information to the submitter.

Information submitted in response to this notice, and not deemed confidential, will be a matter of public record and will be available for public inspection and copying. The Office of Administration, Bureau of Industry and Security, U.S. Department of Commerce, displays public comments on the BIS

Freedom of Information Act (FOIA) Web site at <http://www.bis.doc.gov/foia>. This office does not maintain a separate public inspection facility. If you have technical difficulties accessing this Web site, please call BIS's Office of Administration, at (202) 482-1093, for assistance.

Dated: August 26, 2008.
 Christopher Wall,
Assistant Secretary for Export Administration.
 [FR Doc. E8-20168 Filed 8-29-08; 8:45 am]
BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews

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

ACTION: Notice of Upcoming Sunset Reviews.

SUPPLEMENTARY INFORMATION:

Background

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended, the Department of Commerce ("the Department") and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

Upcoming Sunset Reviews for October 2008

The following Sunset Review is scheduled for initiation in October 2008 and will appear in that month's Notice of Initiation of Five-year Sunset Reviews.

Antidumping Duty Proceedings	Department Contact
Refined Brown Aluminum Oxide from the PRC (A-570-882) Countervailing Duty Proceedings. No Sunset Review of countervailing duty orders are scheduled for initiation in October 2008.. Suspended Investigations. No Sunset Review of suspended investigations are scheduled for initiation in October 2008..	Brandon Farlander (202) 482-0182

The Department's procedures for the conduct of Sunset Reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's Policy Bulletin 98.3--Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998). The Notice of Initiation of Five-year ("Sunset") Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Pursuant to 19 CFR 351.103(c), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter,

any interested party wishing to participate in the Sunset Review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: August 20, 2008.
 Edward C. Yang,
Acting Deputy Assistant Secretary for Import Administration.
 [FR Doc. E8-20292 Filed 8-29-08; 8:45 am]
BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

FOR FURTHER INFORMATION CONTACT: Sheila E. Forbes, Office of AD/CVD

Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4697.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended, may request, in accordance with section 351.213 (2002) of the Department of Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews initiated pursuant to requests made for the orders identified below, the Department intends to select respondents based on U.S. Customs and

From: <dshennessee@mmm.com>
To: <rhajen@bis.doc.gov>
Date: 9/22/2008 4:03:16 PM
Subject: Microbolometer FA Study

3M is pleased to respond to the September 2, 2008 Federal Register notice requesting feedback on Chinese Thermal Imaging Camera (TIC) availability. Please accept our apologies for not having this information submitted prior to the September 17, 2008 deadline. We are hopeful that this information will still prove valuable to Commerce's efforts to have certain TIC products and technologies decontrolled.

All cameras listed below have a spectral band between 8 and 14 microns, a frame rate of no more than 60 Hz, and a pixel count of 110,592 or less.

1. Cameras available in China

One example of a Chinese-manufactured camera that meets the technical criteria specified is the T6-S/P, which is manufactured by Zhejiang Dali Technology Co., LTD., which is located at 639 Binkang Rd, Hangzhou, P.R. China, 310053. A URL for the specific camera and the overall Dali website is listed below.

<http://www.dali-tech.com/en-ProductInfo.asp?TypeID=1&ID=43>

<http://www.dali-tech.com/en-index.asp>

Another example of a Chinese-manufactured camera that meets the technical criteria specified is the GF3000A, which is manufactured by Guangzhou SAT Infrared Technology Co. LTD (SATIR), which is located at 10 Dongjiang Ave, Guangzhou Economic & Technological Development District, Guangzhou, China 510730. A URL for the specific camera and the overall SATIR website is listed below.

http://www.sat.com.cn/english/product_h_d_g3000a.php#

<http://www.sat.com.cn/english/index.php>

A third example of a Chinese-manufactured camera that meets the technical criteria specified is the TP8S, which is manufactured by Wuhan Guide Infrared Co., LTD, which is located at No. 26 Shucheng Rd., Hongshan District, Wuhan 430070, P.R. China. A URL for the specific camera and the overall Guide website is listed below.

http://www.guide-infrared.com/en/lm2_show.asp?xh=136&n=2

http://www.guide-infrared.com/en/index_en.asp

2. Chinese market growth

Although we do not have specific data regarding Chinese production quantities, sales, exports, or imports into the U.S., we do know that our international sales staff encounters competition from these Chinese camera manufacturers, which is only expected to increase as Chinese TIC

capabilities are expanded. For cameras such as the 3M camera (the FireFlir 131 models used for firefighting), it is not clear what the benefit of product licensing is for an end user like China, which has an established and rapidly-expanding ability to produce similar cameras.

3. Economic impact

3M devotes substantial resources to managing TIC licenses, both here in the U.S. and internationally. Licensing for TIC's alone accounts for approximately 3/4 time of a full staff position in the U.S., and substantial amounts of time are spent by our international subsidiaries gathering and verifying paperwork for licenses, managing reports as required on certain licenses, and other necessary activities. As 3M's TIC volume is expected to grow, these burdens will increase. We believe that 3M is at a competitive disadvantage due to the uncertain lead times and documentation required by the licensing process. There is no question that an indigenous manufacturer is able to offer shorter lead times and an easier ordering process to potential customers.

Doug Hennessee
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