

**INTERNATIONAL TRADE COMMISSION****[Inv. No. 337-TA-573]****In the Matter of Certain Portable Digital Media Players; Notice of Commission Decision Not To Review an Initial Determination of the Administrative Law Judge Terminating the Investigation on the Basis of a Binding Term Sheet****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 the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 4) terminating the above-captioned investigation on the basis of a binding term sheet.

**FOR FURTHER INFORMATION CONTACT:** Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3152. Copies of the 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. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. 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>.

**SUPPLEMENTARY INFORMATION:** On June 14, 2006, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, based on a complaint, as supplemented, filed by Creative Labs, Inc. of Milpitas, California, and Creative Technology Ltd. of Singapore (collectively, "Creative"), alleging a violation of section 337 in the importation, sale for importation, and sale within the United States after importation of certain portable digital media players by reason of infringement of claims 2-5, 7, 11-13, 15, and 16 of U.S. Patent No. 6,928,433. 71 FR 34390 (June 14, 2006). The complainant named Apple Computer, Inc. of Cupertino, California ("Apple") as the respondent.

On September 13, 2006, the ALJ issued an ID (Order No. 4) granting a

joint motion filed by Creative and Apple seeking termination of this investigation on the basis of a binding term sheet. No party petitioned for review of Order No. 4.

The Commission has determined not to review Order No. 4.

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 section 210.42(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: October 4, 2006.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E6-16809 Filed 10-10-06; 8:45 am]

**BILLING CODE 7020-02-P**

**DEPARTMENT OF JUSTICE****[OMB Number 1103-0087]****Office of Community Oriented Policing Services; Agency Information Collection Activities: Revision of a Currently Approved Collection; Comments Requested**

**ACTION:** 60-Day Notice of Information Collection Under Review: Tribal Resources Grant Program Equipment/ Training Progress Report.

The Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The revision of a currently approved information collection is published to obtain comments from the public and affected agencies.

The purpose of this notice is to allow for 60 days for public comment until December 11, 2006. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Rebekah Dorr, Department of Justice Office of Community Oriented Policing Services, 1100 Vermont Avenue, NW., Washington, DC 20530.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your

comments should address one or more of the following four points:

- 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.

**Overview of This Information Collection**

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Tribal Resources Grant Program Equipment/ Training Progress Report.

(3) *Agency form number, if any, and the applicable component of the Department sponsoring the collection:* None. U.S. Department of Justice Office of Community Oriented Policing Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Tribal Resources Grant Program—Equipment and Training grant recipients will report to the COPS Office on the status of grant implementation on an annual basis. Secondary: None.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:*

It is estimated that 275 respondents will complete the form annually within 30 minutes.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 138 total annual burden hours.

If additional information is required contact: Lynn Bryant, Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: October 4, 2006.

**Lynn Bryant,**

*Department Clearance Officer, PRA,  
Department of Justice.*

[FR Doc. E6-16723 Filed 10-10-06; 8:45 am]

**BILLING CODE 4410-AT-P**

## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Clean Air Act

Notice is hereby given that on August 24, 2006, a proposed Consent Decree in *United States of America and the Michigan Department of Environmental Quality v. CEMEX, Inc., St. Mary's Cement Inc. (U.S.), and St. Barbara Cement, Inc.*, Civil Action No. 1:06-CV-0607, was lodged with the United States District Court for the Western District of Michigan.

In this action the United States sought injunctive relieve and civil penalties for violations for the Clean Air Act that occurred at the portland cement manufacturing facility located in 16000 Bell Bays Road, in Charlevoix, Michigan, which was owned and operated by CEMEX, Inc. prior to March 31, 2005, and owned by St. Barbara Cement Inc. and operated by St. Marys Cement Inc. (U.S.) on and after March 31, 2005. The complaint alleges that CEMEX Inc. failed to control and limit particulate matter (dust) emissions, failed to perform required compliance monitoring, and failed to comply with various other requirements government operation of portland cement manufacturing plants.

The proposed consent decree resolves all violations alleged in the complaint. Among other things, the consent decree requires CEMEX Inc. to pay a civil penalty of \$1,359,422 to the United States and the State of Michigan and requires St. Marys and St. Barbara to install a baghouse filtering system, which is estimated to cost in excess of \$11 million, to remedy the ongoing emissions violations. In addition, the consent decree requires the defendants to spend at least \$6.2 million on the installation of a new indirect firing system for the facility's kiln, which is expected to substantially reduce emissions of particulate matter, sulfur dioxide, and nitrogen oxides.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, U.S. Department of Justice, Washington, DC

20044-7611, and should refer to *United States, et al. v. CEMEX, et al.*, D.J. Ref. 90-5-2-1-08077.

The Consent Decree may be examined at the Office of the United States Attorney, Fifth Floor, 330 Ionia NW., Grand Rapids, MI. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Web site, [http://www.usdoj.gov/enrd/Consent\\_Decrees.html](http://www.usdoj.gov/enrd/Consent_Decrees.html). A copy of the Consent Decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$50.50 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by e-mail or fax, forward a check in that amount to the Consent Decree Library at the state address. In requesting a copy exclusive of exhibits, please enclose a check in the amount of \$10.00 (25 cents per page reproduction cost) payable to the U.S. Treasury.

**Margaret M. Chiara,**  
*United States Attorney.*

**W. Francesca Ferguson,**  
*Assistant United States Attorney, Western District of Michigan.*

[FR Doc. 06-8574 Filed 10-10-06; 8:45 am]

**BILLING CODE 4410-15-M**

## DEPARTMENT OF JUSTICE

**[AAG/A Order No. 016-2006]**

### Privacy Act of 1974; Systems of Records

**AGENCY:** United States Trustee Program, Department of Justice.

**ACTION:** Notice of modifications to current systems of records and establishment of a new system of records.

**SUMMARY:** Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) and Office of Management and Budget Circular No. A-130, the United States Trustee Program (USTP), Department of Justice, proposes to modify the following existing Privacy Act systems of records:

JUSTICE/UST-001, "Bankruptcy Case Files and Associated Records" (last substantively revised on March 4, 2004, at 69 FR 10255; as amended June 15, 2004, 69 FR 33403); JUSTICE/UST-002, "Bankruptcy Trustee Oversight Records" (last substantively revised on

March 4, 2004, at 69 FR 10255; as amended June 15, 2004, 69 FR 33403); JUSTICE/UST-003, "U.S. Trustee Program Timekeeping Records" (last substantively revised on March 4, 2004, at 69 FR 10255; as amended June 15, 2004, 69 FR 33403); and JUSTICE/UST-004, "U.S. Trustee Program Case Referral System" (last substantively revised on March 4, 2004, at 69 FR 10255; as amended June 15, 2004, 69 FR 33403). In addition, the USTP proposes to establish a new system of records entitled, JUSTICE/UST-005, "Credit Counseling and Debtor Education Files and Associated Records." The modified system notices and the new system notice are published in their entirety below.

**DATES:** These actions will be effective November 20, 2006.

**FOR FURTHER INFORMATION CONTACT:** For information regarding these changes and for general information regarding the USTP's Privacy Act systems, contact Sue Ann Slates, FOIA/Privacy Counsel, Executive Office for United States Trustees (EOUST), at (202) 307-1399.

**SUPPLEMENTARY INFORMATION:** On April 20, 2005, amendments to the Bankruptcy Code, 11 U.S.C. 101, *et seq.*, were enacted that took effect on October 17, 2005. Under the new provisions, all individual debtors are required to receive credit counseling and a budget analysis from a USTP approved nonprofit budget and credit counseling agency within 180 days prior to filing a bankruptcy petition. Also, an individual debtor is required to take a personal financial management course from a USTP approved debtor education provider before receiving a bankruptcy discharge. The United States Trustees approve credit counseling and debtor education providers after determining their qualifications meet the standards set forth in the Bankruptcy Code and agency regulations. Accordingly, a new system of records is needed to cover applicants seeking to be USTP approved and reapproved providers of credit counseling and debtor education services under the Bankruptcy Code, as well as individuals who submit complaints and comments to the USTP regarding such providers. The records in this system will be used, among other things, to assist the EOUST and United States Trustees to assess the qualifications of credit counseling and debtor education applicants and providers, ensure compliance with the statutory and regulatory requirements, and collect and maintain complaints and comments submitted by individuals.