

Comment 3: PMS Adjustments to Pacific Pipe's and Saha Thai's Calculations
 Comment 4: Sales Date Parameters of Pacific Pipe's Home Market and U.S. Sales Programs
 Comment 5: Pacific Pipe's Fixed Overhead Costs
 Comment 6: Assignment of Surrogate Costs to Certain Pacific Pipe Home Market Sales
 Comment 7: Pacific Pipe's Home Market Discounts and Rebates
 Comment 8: Sales Date Parameters of Saha Thai's Home Market and U.S. Sales Programs
 Comment 9: Saha Thai's Duty Drawback Adjustment
 Comment 10: Differential Pricing Analysis of Saha Thai's U.S. Sales
 Comment 11: Sales Date Parameters of Thai Premium's Home Market Sales Program
 Comment 12: Assignment of Surrogate Costs to Certain Thai Premium Home Market Sales
 Comment 13: Revision of Variable Names in Thai Premium's Home Market Program

VI. Recommendation

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Notice of Findings Regarding Non-U.S. Commercial Availability of Satellite Imagery With Respect to Israel

ACTION: Notice.

SUMMARY: Consistent with the requirement that commercial remote sensing licensees operate their systems in a manner that protects national security concerns, foreign policy and international obligations, Section 1064, Public Law 104-201, (the 1997 Defense Authorization Act), referred to as the Kyl-Bingaman Amendment, requires that “[a] department or agency of the United States may issue a license for the collection or dissemination by a non-Federal entity of satellite imagery with respect to Israel only if such imagery is no more detailed or precise than satellite imagery of Israel that is available from commercial sources.” Pursuant to this law, the Department of Commerce will make findings as to the level of detail or precision of satellite imagery of Israel available from commercial sources. The Department has found that imagery over Israel is not readily and consistently available in sufficient quantities from non-U.S. sources at under the 2 m Ground Sample Distance (GSD) resolution limit currently set by the Department; therefore, the Department is not changing this resolution limit.

SUPPLEMENTARY INFORMATION: This Notice informs U.S. satellite operators collecting imagery over Israel or with plans to collect imagery over Israel that current restrictions regarding data collection/dissemination of imagery over Israel remain in place with the resolution limit at 2 m GSD. This Notice is consistent with the requirement that the Department of Commerce review non-U.S. commercial availability of imagery over Israel and any input from licensees or from the general public and publish findings of this review in the **Federal Register**.

To determine what imagery is “available from commercial sources,” the Department looks to what “level of imagery resolution [is] readily and consistently available in sufficient quantities from non-U.S. sources.” Licensing of Private Land Remote-Sensing Space Systems, 71 FR 24474, 24479 (Apr. 25, 2006). After a recent investigation and analysis, the Department determined that imagery over Israel is not readily and consistently available in sufficient quantities from non-U.S. sources at under 2 m GSD to consider sub-2 m imagery “commercially available.”

There are non-U.S. commercial sources that are capturing imagery at lower than the 2 m resolution limit, but very little of this imagery is available for sale. Further, the imagery is not easily accessible enough to be readily available. A customer must apply to acquire the imagery. Even if their application is granted and the customer is able to buy imagery at under 2 m, the license terms of the sale often restrict the customer from further disseminating the imagery. Therefore, the Department has determined that commercial imagery is not readily or consistently available from non-U.S. sources in sufficient quantities to be considered commercially available.

The Department of Commerce may re-evaluate this finding in the future as additional information is made available.

FOR FURTHER INFORMATION CONTACT: Tahara Dawkins, Commercial Remote Sensing Regulatory Affairs Office, NOAA Satellite and Information Services, 1335 East-West Highway, Suite G-101, Silver Spring, Maryland 20910; telephone (301) 713-3385, email tahara.dawkins@noaa.gov.

Tahara Dawkins,
 Director, Commercial Remote Sensing Regulatory Affairs.

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DEPARTMENT OF DEFENSE

Department of the Army

Notice of Intent to Grant Exclusive Patent License to Dilatant, LLC; Kansas City, MO

AGENCY: Department of the Army, DoD.

ACTION: Notice of intent.

SUMMARY: The Department of the Army hereby gives notice of its intent to grant to Dilatant, LLC; a company having its principle place of business at 1111 West 46th Street #45, Kansas City, MO 64112, an exclusive license.

DATES: Written objections must be filed not later than 15 days following publication of this announcement.

ADDRESSES: Send written objections to U.S. Army Research Laboratory Technology Transfer and Outreach Office, RDRL-DPT/Annmarie Martin, Building 321 Room 113, 6375 Johnson Rd., Aberdeen Proving Ground, MD 21005-5425.

FOR FURTHER INFORMATION CONTACT: Annmarie Martin, (410) 278-9106, email: ORTA@arl.army.mil.

SUPPLEMENTARY INFORMATION: The Department of the Army plans to grant an exclusive license to Dilatant, LLC in the field of use related to head and body resistant systems incorporating rate-actuated tethers for use in automotive racing applications relative to the following—

- “Rate-Responsive, Stretchable Devices”, US Patent No. 9,303,717, Filing Date June 26, 2013, Issue Date April 5, 2016.
- “Rate-Responsive, Stretchable Devices (Further Improvements)”, US Patent No. 9,958,023, Filing Date March 1, 2016, Issue Date May 1, 2018.
- “Head Restraint System Having a Rate Sensitive Device”, US Patent Application No. 15/366,578, Filed December 1, 2016.

The prospective exclusive license may be granted unless within fifteen (15) days from the date of this published notice, the U.S. Army Research Laboratory receives written objections including evidence and argument that establish that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). Competing applications completed and received by the U.S. Army Research Laboratory within fifteen (15) days from the date of this published notice will also be treated as objections to the grant of the contemplated exclusive license.

Objections submitted in response to this notice will not be made available to the public for inspection and, to the