

DEPARTMENT OF COMMERCE**International Trade Administration****North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews**

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of Decision of Panel.

SUMMARY: On April 21, 2005 the binational panel issued its corrected decision in the review of the final injury determination on remand made by the International Trade Commission, respecting Carbon and Certain Alloy Steel Wire Rod from Canada Final Injury Determination, Secretariat File No. USA-CDA-2002-1904-09. The binational panel affirmed the International Trade Commission's determination on remand. Copies of the panel decision are available from the U.S. Section of the NAFTA Secretariat.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

Panel Decision: The panel affirmed the International Trade Commission's determination on remand respecting Carbon and Certain Alloy Steel Wire Rod from Canada. The panel has directed the Secretary to issue a Notice

of Final Panel Action on the 11th day following the issuance of the decision.

Caratina L. Alston,

U.S. Secretary, NAFTA Secretariat.

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DEPARTMENT OF COMMERCE**National Oceanic and Atmospheric Administration**

[I.D. 042205A]

Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Application for Exempted Fishing Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of a proposal for an EFP to conduct experimental fishing; request for comments.

SUMMARY: The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that the subject Exempted Fishing Permit (EFP) application contains all the required information and warrants further consideration. The Assistant Regional Administrator has also made a preliminary determination that the activities authorized under the EFP would be consistent with the goals and objectives of the Northeast (NE) Multispecies Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made to issue the EFP. Therefore, NMFS announces that the Assistant Regional Administrator proposes to issue an EFP that would allow four vessels to conduct fishing operations that are otherwise restricted by the regulations governing the fisheries of the Northeastern United States. The EFP would allow for exemptions from the NE multispecies rolling closure area restrictions and the NE multispecies minimum mesh size requirements. The applicant proposes to conduct a study of an inclined separation panel, a bycatch reduction device, in order to examine the effectiveness of this type of gear at separating the catch of Atlantic cod, and other roundfish, from flatfish. The EFP would allow these exemptions for four commercial vessels for a combined total of 23 days at sea. All experimental work would be monitored by Manomet Center

for Conservation Sciences (Manomet) personnel.

Regulations under the Magnuson-Stevens Fishery Conservation and Management Act require publication of this notification to provide interested parties the opportunity to comment on applications for proposed EFPs.

DATES: Comments must be received on or before May 12, 2005.

ADDRESSES: Comments on this notice may be submitted by e-mail. The mailbox address for providing e-mail comments is *DA5-86@noaa.gov*. Include in the subject line of the e-mail comment the following document identifier: "Comments on Manomet EFP Proposal for Inclined Separator Panel Study (DA5-86)." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Manomet EFP Proposal for inclined Separator Panel Study (DA5-86)." Comments may also be sent via fax to 978-281-9135.

FOR FURTHER INFORMATION CONTACT: Peter Cooper, Fishery Management Specialist, phone: 978-281-9122, fax: 978-281-9135.

SUPPLEMENTARY INFORMATION: An application for an EFP was submitted by Manomet on March 16, 2005. The EFP would exempt four federally permitted commercial fishing vessels from the following requirements in the FMP: NE multispecies Gulf of Maine (GOM) rolling closure area restrictions specified at 50 CFR 648.81(f)(1)(iii) and (f)(1)(iv) to provide an optimum mixture of cod and flatfish for testing the experimental gear; and the NE multispecies minimum mesh size requirements specified at § 648.80(a)(3)(ii) in order to allow the use of 4-inch (10.2-cm) mesh within the separator panel.

The goal of this study is to assess the applicability of this separator panel to separate cod and other roundfish from flatfish in the GOM NE multispecies fishery. Researchers would test a trawl net consisting of 6.5-inch (16.5-cm) diamond mesh throughout the net and codend, with a 4-inch (10.2-cm) diamond mesh inclined separation panel sewn into the end of the extension and the codend. The angle of the inclined panel and number of meshes in the panel would be initially set at values implemented in the Irish Sea fisheries that have been proven effective at separating cod and other roundfish from flatfish.

The study would be conducted from May 1, 2005, through July 15, 2005.