

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## AMERICAN BATTLE MONUMENTS COMMISSION

### SES Performance Review Board

**AGENCY:** American Battle Monuments Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the appointment of members of the ABMC Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** Theodore Gloukhoff, Director of Personnel and Administration, American Battle Monuments Commission, Courthouse Plaza II, Suite 500, 2300 Clarendon Boulevard, Arlington, Virginia, 22201-3367, Telephone Number: (703) 696-6908.

### American Battle Monuments Commission SES Performance Review Board

Dr. Susan L. Duncan, Director, Human Resources, US Army Corps of Engineers;  
Mr. Joseph Tyler, Chief, Program Management Division, US Army Corps of Engineers;  
Mr. Wesley C. Miller, Director, Resource Management, US Army Corps of Engineers.

**Theodore Gloukhoff,**  
Director, Personnel and Administration.  
[FR Doc. E7-2853 Filed 2-16-07; 8:45 am]

**BILLING CODE 6120-01-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-570-803)

### Heavy Forged Hand Tools from the People's Republic of China: Notice of Court Decision Not In Harmony With Final Results of Administrative Review

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

**SUMMARY:** On January 9, 2007, the United States Court of International Trade ("CIT") sustained the final remand redetermination made by the Department of Commerce ("the Department") pursuant to the CIT's remand of the final results of the eleventh administrative review of the antidumping duty orders on heavy forged hand tools from the People's Republic of China. See *Shandong Huarong Machinery Co. v. United States and Ames True Temper*, Slip Op. 2007-3 (CIT, 2007) ("*Shandong Huarong II*"). This case arises out of the Department's final results in the administrative review covering the period February 1, 2001, through January 31, 2002. See *Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China: Final Results of Antidumping Duty Administrative Review of the Order on Bars and Wedges*, 68 FR 53347 (September 10, 2003) ("*Final Results*"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("Federal Circuit") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the Department is notifying the public that *Shandong Huarong II* is not in harmony with the Department's *Final Results*.

**EFFECTIVE DATE:** February 20, 2007  
**FOR FURTHER INFORMATION CONTACT:** Thomas Martin or Mark Manning; AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., N.W., Washington, DC 20230; telephone: (202) 482-3936 or (202) 482-5253, respectively.

**SUPPLEMENTARY INFORMATION:** In *Shandong Huarong Machinery Co. v. United States*, No. 03-00676 (CIT, 2005) ("*Shandong Huarong I*"), the CIT remanded the underlying final results to the Department to: (1) reopen the record in order to afford Shandong Huarong Machinery Co. ("*Huarong*") a second opportunity to provide a scrap offset in which its scrap sales are allocated to the production of bars/wedges; (2) explain why its methodology of including distances greater than the distance from the nearest port to the factory, when calculating the weighted-average freight distance for multiple suppliers of one particular factor of production ("*FOP*"), satisfies the reasoning in *Sigma Corp. v. United States*, 117 F.3d 1401 (Fed. Cir.

1997) ("*Sigma*") and *Lasko Metal Products Inc. v. United States*, 43 F.3d 1442, 1446 (Fed. Cir. 1994) ("*Lasko*"), or adjust its methodology; (3) explain its decision to disregard the effect of subsidies from the United States and other countries, in light of *Fuyao Glass Indus. Group Co. v. United States*, Slip Op. 2003-169 (CIT, 2003) ("*Fuyao I*") and *Fuyao Glass Indus. Group Co. v. United States*, Slip Op. 2005-06 (CIT, 2005) ("*Fuyao II*"); (4) supply a more complete explanation to support its determination that labor costs and other factor inputs for making steel pallets are included in the cost of brokerage and handling; and (5) provide a more complete explanation to support its decision that the cost of movement from the truck to the container yard, demurrage and storage charges, and other port charges are included in the brokerage and handling cost.

The Department released the Draft Results of Redetermination Pursuant to Court Remand ("Draft Redetermination") to Huarong and Ames True Temper<sup>1</sup> ("*Ames*") for comment on October 7, 2005. The Department received timely filed comments from both Huarong and Ames on October 14, 2005, and rebuttal comments from Huarong on October 19, 2005. On October 16, 2006, the Department issued to the CIT its final results of redetermination pursuant to remand on November 30, 2005. In the remand redetermination the Department did the following: (1) reopened the record, and applied a steel scrap offset in its calculation of normal value to adjust for sales of steel scrap that was generated from the production of the subject bars and wedges; (2) applied the *Sigma* cap in its analysis and capped the distance for each supplier before calculating the weighted-average inland freight distance; (3) explained its decision in the *Final Results* to not exclude U.S. export data from the Indian import statistics used as the surrogate value because it would have resulted in an insignificant adjustment to normal value; (4) revised its FOP methodology to include labor costs and other factor inputs for making steel pallets in normal value; and (5) explained its reasoning for finding that movement expenses incurred at the port

<sup>1</sup> Ames True Temper is a domestic interested party to the proceeding, and was the petitioner in the underlying review.

of export were included in the calculation of brokerage and handling expenses. The Department recalculated the antidumping duty rate applicable to Huarong, and included the changes noted above. On January 9, 2007, the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT's remand of the *Final Results*.

In its decision in *Timken*, 893 F.2d at 341, the Federal Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in this case on January 9, 2007, constitutes a final decision of the court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the CIT's ruling is not appealed or, if appealed, upheld by the Federal Circuit, the Department will instruct U.S. Customs and Border Protection to revise the cash deposit rates covering the subject merchandise.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: February 13, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E7-2836 Filed 2-19-07; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

(A-201-822)

#### **Stainless Steel Sheet and Strip in Coils from Mexico; Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** February 20, 2007

**FOR FURTHER INFORMATION CONTACT:**

Maryanne Burke, Deborah Scott or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th

Street and Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-5604, (202) 482-2657 or (202) 482-0649, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On July 3, 2006, the Department of Commerce (the Department) published a notice of opportunity to request administrative review of the antidumping duty order on, *inter alia*, stainless steel sheet and strip in coils from Mexico. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 37890 (July 3, 2006). On July 31, 2006, the Department received a timely request from Allegheny Ludlum Corporation, United Auto Workers Local 3303, Zanesville Armco Independent Organization, Inc. and the United Steelworkers (collectively, petitioners) to conduct an administrative review of the antidumping duty order on stainless steel sheet and strip in coils from Mexico. Also on July 31, 2006, the Department received a timely request from the respondent in this review, ThyssenKrupp Mexinox S.A. de C.V. (Mexinox S.A.) and Mexinox USA, Inc. (Mexinox USA) (collectively, Mexinox) for revocation of the antidumping order on stainless steel sheet and strip in coils from Mexico. On August 30, 2006, the Department published a notice of initiation of this administrative review, covering the period July 1, 2005, to June 30, 2006. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 71 FR 51573 (August 30, 2006). The preliminary results are currently due no later than April 2, 2007.

##### **Extension of Time Limits for Preliminary Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to complete the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order for which a review is requested. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2) allow the Department to extend the time limit for the preliminary results to a maximum of 365 days after the last day of the anniversary month of an order for which a review is requested.

The Department has determined it is not practicable to complete this review within the statutory time limit because further analysis is needed with respect to Mexinox's affiliated party

transactions and its cost of production data used in the margin calculation programs. We require additional information from Mexinox in order to complete our analysis and will not have time to analyze this information prior to the current deadline for the preliminary results. Accordingly, the Department is extending the time limit for completion of the preliminary results of this administrative review until no later than July 31, 2007, which is 365 days from the last day of the anniversary month. We intend to issue the final results no later than 120 days after publication of the preliminary results notice.

This extension is issued and published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: February 13, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E7-2835 Filed 2-19-07; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 070207025-7025-01; I.D. 051906D]

RIN 0648-ZB55

#### **FY 2007 Broad Agency Announcement Request for Extramural Research, Innovative Projects, and Sponsorships**

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of the availability of Federal assistance.

**SUMMARY:** NOAA announces the availability of Federal assistance under the Broad Agency Announcement (BAA) for fiscal year 2007. The purpose of this notice is to request proposals for special projects and programs associated with the Agency's strategic plan and mission goals, as described in the **SUPPLEMENTARY INFORMATION** section, and to provide the general public with information and guidelines on how NOAA will select proposals and administer discretionary Federal assistance under this BAA. NOAA issued approximately \$1 billion in Federal assistance funds in fiscal year 2006. Approximately 81 percent was for discretionary funding and 19 percent non-discretionary. This BAA is a mechanism to encourage research, technical projects, or sponsorships (e.g., conferences, newsletters, etc.) that are