

comments on the proposed scope of the EIS. The EIS process is ongoing.

On August 13, 2010, the Court vacated the deregulation determination, remanding the issue back to APHIS. RRSB is therefore once again a regulated article under 7 CFR part 340, and Monsanto and KWS have submitted a supplemental request for "partial deregulation" or similar administrative action for RRSB, along with an accompanying "Environmental Report," to allow the future planting, harvesting, and interstate movement of RRSB crops (both seed and root) under conditions designed to ensure any risks posed by the introduction of these sugar beets into the environment are thoroughly mitigated.

APHIS is evaluating this supplemental request and developing appropriate environmental analyses to inform its decisionmaking in reference to any APHIS decision or decisions to authorize future seed and root crop plantings under a combination of permits, administrative orders, or other regulatory options and measures. APHIS is considering regulatory options and measures that would include mitigating measures consistent with those it had proposed to the Court as interim measures while APHIS completes the EIS for the petition for determination of non-regulated status for RRSB. APHIS anticipates making a decision on the supplemental petition for "partial deregulation" and on other appropriate interim regulatory actions related to RRSB by the end of the year. There will be an opportunity for public comment on any environmental analyses developed for such decision or decisions. APHIS is notifying the public that its receipt of this supplemental request for "partial deregulation" and this notice to the public regarding it in no way indicates that the Agency agrees with the petitioners' description, application, or implementation of a "partial deregulation." Such matters and related issues are solely determined by APHIS pursuant to its PPA statutory authority and its biotechnology regulations in 7 CFR part 340.

Done in Washington, DC, this 4th day of October 2010.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

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**BILLING CODE 3410-34-P**

## AGENCY FOR INTERNATIONAL DEVELOPMENT

### Notice of Public Information Collections Being Reviewed by the U.S. Agency for International Development; Comments Requested

**SUMMARY:** U.S. Agency for International Development (USAID) is making efforts to reduce the paperwork burden. USAID invites the general public and other Federal agencies to take this opportunity to comment on the following proposed and/or continuing information collections, as required by the Paperwork Reduction Act for 1995. Comments are requested concerning: (a) Whether the proposed or continuing collections of information are necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Submit comments on or before December 7, 2010.

#### FOR FURTHER INFORMATION CONTACT:

Beverly Johnson, Bureau for Management, Office of Administrative Services, Information and Records Division, U.S. Agency for International Development, Room 2.07-106, RRB, Washington, DC 20523, (202) 712-1365 or via e-mail [bjohnson@usaid.gov](mailto:bjohnson@usaid.gov).

**ADDRESSES:** Send comments via e-mail at [lwalker@usaid.gov](mailto:lwalker@usaid.gov) or mail comments to: Linda Walker, Bureau for Economic Growth, Agriculture and Trade, Office of Education, Participant Training Team, United States Agency for International Development, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW., Washington, DC 20523 (202) 712-1786.

#### SUPPLEMENTARY INFORMATION:

*OMB No:* OMB 0412-New.

*Form No.:* N/A.

*Title:* USAID Visa Compliance System (VCS).

*Type of Review:* New Information Collection.

*Purpose:* The U.S. Agency for International Development, under the Foreign Assistance Act of 1961, as amended, engages in a broad range of sustainable economic assistance activities that provide technical and academic training in the United States and abroad for foreign nationals. These foreign nationals have been selected for

training by USAID in order to advance U.S. foreign policy objectives by supporting: Economic growth, agriculture and trade; global health; and democracy, conflict prevention, and humanitarian assistance. Training can consist of long-term academic degree programs, short-term technical courses, seminars, workshops, or other learning activities intended to impart certain knowledge and information.

USAID must track training data for all foreign nationals who receive training funded by USAID. In cases where foreign nationals must travel to the U.S. to participate in training or invitational travel, the approvals for the eligibility to obtain the J visa are captured in the Visa Compliance System (VCS). The Visa Compliance system has two purposes: first, to secure a J-1 visa for these foreign nationals traveling to the U.S.; second, to enable USAID to be in compliance with external requirements of the Department of Homeland Security. With certain exceptions, the foreign nationals that USAID sponsors for travel to the U.S. are considered exchange visitors. The VCS provides an audit trail regarding each exchange visitor, his or her training program or circumstances, as well as other relevant documentation.

*Annual Reporting Burden:*

*Respondents:* 600.

*Total annual responses:* 8,000.

*Total annual hours requested:* 2,000 hours.

Dated: September 27, 2010.

**Marilyn Collins,**

*Acting Director, Office of Administrative Services, Bureau for Management.*

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**BILLING CODE 6116-01-M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-008]

#### Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On June 10, 2010, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan. *See Preliminary Results of Antidumping Duty Administrative Review: Circular Welded Carbon Steel*

*Pipes and Tubes From Taiwan*, 75 FR 32911 (June 10, 2010) (*Preliminary Results*). This review covers one company, Yieh Phui Enterprise Co., Ltd. (Yieh Phui). Based on our analysis of the comments received, we have made no changes from the *Preliminary Results*. We have listed the final dumping margin below in the section entitled "Final Results of Review."

**DATES:** *Effective Date:* October 8, 2010.

**FOR FURTHER INFORMATION CONTACT:** Steve Bezirgianian 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) 482-1131 and (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 10, 2010, the Department published in the **Federal Register** the preliminary results of the administrative review of the antidumping duty order on circular welded carbon steel pipes and tubes from Taiwan for the period May 1, 2008, to April 30, 2009. See *Preliminary Results*. In response to the Department's invitation to comment on the preliminary results of this review, respondent Yieh Phui filed its case brief on July 12, 2010. Domestic producer Allied Tube & Conduit Corporation filed its rebuttal brief on July 16, 2010. No parties requested a hearing.

The deadline for the final results of this administrative review is October 8, 2010.

**Scope of the Order**

The merchandise covered by this order is certain circular welded carbon steel pipes and tubes from Taiwan, which are defined as: Welded carbon steel pipes and tubes, of circular cross section, with walls not thinner than 0.065 inch, and 0.375 inch or more but not over 4.5 inches in outside diameter, currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7306.30.5025, 7306.30.5032, 7306.30.5040, and 7306.30.5055. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to this order is dispositive.

**Cost of Production**

As discussed in the *Preliminary Results*, we found that Yieh Phui made home market sales of the foreign like product during the POR at prices below its costs of production (COP) within the meaning of section 773(b) of the Act.

See *Preliminary Results*, 75 FR at 32913. Those results apply to these final results, given that no changes have been made from the calculations made in the *Preliminary Results*.

We found 20 percent or more of the respondent's sales of a given product during the reporting period were at prices less than the weighted-average COP for this period. Thus, we determined that these below-cost sales were made in "substantial quantities" within an extended period of time and at prices which did not permit the recovery of all costs within a reasonable period of time in the normal course of trade. See sections 773(b)(1)&(2) of the Act.

Therefore, for purposes of these final results, we continue to find that Yieh Phui made below-cost sales not in the ordinary course of trade. Consequently, we disregarded these sales for Yieh Phui and used the remaining sales as the basis for determining NV pursuant to section 773(b)(1) of the Act. For those U.S. sales of subject merchandise for which there were no matches to home market sales in the ordinary course of trade, we compared export prices to constructed value in accordance with section 773(a)(4) of the Act. See *Preliminary Results*, 75 FR 32913.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by interested parties in this administrative review are addressed in the Issues and Decision Memorandum (Decision Memorandum) from Susan H. Kuhbach, Acting Deputy Assistant Secretary for Import Administration, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated September 30, 2010, which is hereby adopted by this notice. A list of the two issues which parties raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an appendix. Parties can find a discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit in room 7046 of the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly via the Internet at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

**Changes Since the Preliminary Results**

Based on our analysis of the comments received, we have made no changes in the margin calculations.

**Final Results of Review**

We determine the following percentage margin exists for the period May 1, 2008 through April 30, 2009:

Manufacturer/exporter	Weighted-average margin (percentage)
Yieh Phui Enterprise Co., Ltd ...	5.04

**Assessment**

Pursuant to 19 CFR 351.212(b), the Department has calculated an assessment rate on all appropriate entries. The Department intends to issue appropriate appraisal instructions for the company subject to this review directly to CBP 15 days after the date of publication of the final results of this review.

Because Yieh Phui did not report the entered value of its sales, we calculated importer-specific (or customer-specific) per-unit duty assessment rates by aggregating the total amount of antidumping duties calculated for the examined sales of each importer (or customer) and dividing each of these amounts by the respective quantities (by weight) associated with those sales. To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer-specific (or customer-specific) *ad valorem* ratios based on estimated entered values.

We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review for each importer (or customer) for which the importer-specific (or customer-specific) *ad valorem* ratio is above *de minimis* (i.e., at or above 0.50 percent). Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the importer-specific (or customer-specific) *ad valorem* ratio is *de minimis* (i.e., less than 0.50 percent).

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*). This clarification will apply to entries of subject merchandise during the POR produced by the company included in the final results where the reviewed companies did not know the merchandise it sold to the intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate

unreviewed entries at the all-others rate if there was no rate calculated in this review for the intermediary involved in the transaction. *See id.*, 68 FR at 23954.

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of administrative review, consistent with section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company will be the rate listed above; (2) if the exporter is not a firm covered in this review, but was covered in a previous review or the original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 9.70 percent, the all-others rate established in the LTFV investigation. *See Certain Circular Welded Carbon Steel Pipes and Tubes From Taiwan: Antidumping Duty Order*, 49 FR 19369 (May 7, 1984). These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials or conversion to judicial

protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 30, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

### Appendix—List of Issues in Decision Memorandum

Comment 1: Date of Sale for U.S. Sales  
Comment 2: Zeroing

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XZ19**

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

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Assistant Regional Administrator for Sustainable Fisheries, Northeast Region, NMFS (Assistant Regional Administrator) has made a preliminary determination that an EFP application from the University of New England (UNE) contains all the required information and warrants further consideration. The EFP would allow three commercial fishing vessels to possess spiny dogfish (dogfish) during Federal quota closures in support of a study on their reproductive biology. 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 Spiny Dogfish Fishery Management Plan (FMP). However, further review and consultation may be necessary before a final determination is made.

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

**DATES:** Comments must be received on or before October 25, 2010.

**ADDRESSES:** Comments may be submitted by e-mail. The mailbox

address for providing e-mail comments is [nero.efp@noaa.gov](mailto:nero.efp@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: "Comments on UNE dogfish possession EFP." Written comments should be sent to Patricia A. Kurkul, Regional Administrator, NMFS, Northeast Regional Office, 55 Great Republic Drive, Gloucester, MA 01930. Mark the outside of the envelope, "Comments on UNE dogfish possession EFP." Comments may also be sent via facsimile (fax) to (978) 281-9135.

**FOR FURTHER INFORMATION CONTACT:** Lindsey Feldman, Fishery Management Specialist, *phone:* 978-675-2179, *fax:* 978-281-9135.

**SUPPLEMENTARY INFORMATION:** The EFP would exempt federally permitted commercial fishing vessels from dogfish closures while conducting research for the University of New England. The EFP would temporarily exempt participating vessels from dogfish quota closures, in limited situations for research purposes only, to retain dogfish that would otherwise be prohibited. No dogfish will be landed for sale when the fishery is closed.

The FMP implemented a semi-annual quota for the commercial dogfish fishery; when a semi-annual quota is projected to be harvested, NMFS closes the fishery until the next semi-annual quota opens. During a dogfish closure, no vessel may fish for or possess dogfish. A dogfish closure is currently in effect through October 31, 2010.

As part of a continuing research project, UNE is investigating the reproductive biology of dogfish along the U.S. Atlantic coast. UNE will investigate previously observed regional anomalies in dogfish reproductive biology. Investigators from UNE aim to update information known on the gestation period for dogfish; in particular whether the current estimate of 22 months for gestation has been overestimated. Data from the research would provide more detailed life history information on dogfish that could potentially be used to fine tune stock assessments and management plans for dogfish in the Northwest Atlantic.

The applicant would collect 150 female dogfish samples per month (one year total), 50 each from the Gulf of Maine (GOM), waters off New Jersey (NJ), and waters off North Carolina (NC). The total number of dogfish landed under this EFP would not exceed 1,800 individuals. Samples would be collected during regular commercial fishing operations, in areas open to commercial fishing for species other than spiny dogfish. Vessels would fish