

Department's determination. See Decision of the Panel on Third Remand, *In the Matter of Certain Softwood Lumber from Canada: Final Affirmative Countervailing Duty Determination*, Secretariat File No. USA-CDA-2002-1904-03 NAFTA Binational Panel Review, May 23, 2005. On July 7, 2005, the Department issued its fourth remand determination again continuing to find that Canadian lumber is subsidized but at a country-wide rate of 1.21 percent *ad valorem*. See Fourth Remand Determination *In the Matter of Certain Softwood Lumber from Canada: Final Affirmative Countervailing Duty Determination*, Secretariat File No. USA-CDA-2002-1904-03 NAFTA Binational Panel Review, July 7, 2005. On October 5, 2005, the Panel issued its decision on fourth remand, affirming in part and remanding in part the Department's determination. See Decision of the Panel on Fourth Remand, *In the Matter of Certain Softwood Lumber from Canada: Final Affirmative Countervailing Duty Determination*, Secretariat File No. USA-CDA-2002-1904-03 NAFTA Binational Panel Review, October 5, 2005. The Panel directed the Department to use the figure of C\$4.34 in determining the profit earned by sellers of logs in the Province of Quebec for the purpose of developing a log-based benchmark price. The Department continued to object to the Panel's decision, but, on November 22, 2005, filed its Fifth Remand Determination in compliance with the Panel's directions, finding a country-wide subsidy rate of 0.80 percent which is *de minimis*. By decision on March 17, 2006, the Panel affirmed the Fifth Remand Determination and subsequently directed the NAFTA Secretariat to issue a Notice of Final Panel Action on March 28, 2006.

#### Timken Notice

In its decision in *Timken*, the Federal Circuit held that, pursuant to 19 U.S.C. § 1516a(c)(1) and 1516a(e), the Department must publish notice of decision of the Court of International Trade which is "not in harmony" with the Department's results. See *Timken*, 893 F.2d at 340. Because NAFTA panels step into the shoes of the courts they are replacing, they must apply the law of the national court that would otherwise review the administrative determination. Therefore, we are publishing notice that the NAFTA Panel's March 28, 2006, Notice of Final Panel Action and its Panel Decision on Fifth Remand, decision are "not in harmony" with the *Final Determination*. Publication of this notice fulfills the

obligation imposed upon the Department by the decision in *Timken*. In addition, this notice will serve to suspend liquidation of entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after April 7, 2006, *i.e.*, 10 days from the issuance of the Notice of Final Action, at the current cash deposit rate.

Dated: April 6, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040706C]

#### Gulf of Mexico Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Gulf of Mexico Fishery Management Council (Council) will convene two public meetings of the Ad Hoc Shrimp Effort Working Group (SEWG).

**DATES:** The SEWG meeting will convene at 9 a.m. on Thursday, April 27, 2006 and conclude no later than 3 p.m. on Friday, April 28, 2006. The second SEWG meeting will convene at 9 a.m. on Tuesday, May 23, 2006 and conclude no later than 3 p.m. on Wednesday, May 24, 2006.

**ADDRESSES:** The meeting will be held at the National Marine Fisheries Service (NMFS) Galveston Laboratory, Building 216, 4700 Avenue U, Galveston, TX; telephone: (409) 766-3507.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Assane Diagne, Economist, telephone: (813) 348-1630.

**SUPPLEMENTARY INFORMATION:** The Council will convene meetings of the SEWG to begin evaluating shrimp effort in the Exclusive Economic Zone (EEZ) of the Gulf of Mexico. The working group, appointed by the Council during its March 2006, regular meeting, is charged with providing the Council with alternatives for determining the appropriate level of effort in the shrimp fishery in the EEZ. The group also will

discuss the level of effort necessary to achieve optimum yield in the shrimp fishery and what level of effort would derive the maximum benefits of that fishery. The SEWG includes fishery biologists, economists and others knowledgeable about shrimp effort in the Gulf of Mexico.

Although other non-emergency issues not on the agenda may come before the SEWG for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), those issues may not be the subject of formal action during these meetings. Actions of the SEWG will be restricted to those issues specifically identified in the agenda and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

Copies of the agenda can be obtained by calling (813) 348-1630.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Dawn Aring at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: April 7, 2006.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 040706J]

#### Mid-Atlantic Fishery Management Council; Public Meetings

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

**ACTION:** Notice of public meetings.

**SUMMARY:** The Mid-Atlantic Fishery Management Council (Council); its Bycatch Committee; its Research Set-Aside Committee; its Protected Resources Committee; its Squid, Mackerel, Butterfish Committee; its Surfclam, Ocean Quahog, Tilefish Committee; its Ad Hoc Magnuson-Stevens Act (MSA) Reauthorization Committee; its Ecosystem Committee;