only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope. The products subject to this order are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3092, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7213.99.0090, 7227.20.0000, 7227.90.6010, and 7227.90.6080 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.[1]

Partial Rescission of Review

If a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review, the Secretary will rescind the review pursuant to 19 CFR 351.213(d)(1). In this case, the petitioners withdrew their request for an administrative review for SICARTSA within 90 days from the date of initiation. No other interested party requested a review of SICARTSA and we have received no comments regarding the petitioner's withdrawal of their request for a review. Therefore, we are rescinding this review of the antidumping duty order on certain carbon and alloy steel wire rod from Mexico in part with respect to SICARTSA.

The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) 15 days after the publication of this notice. The Department will direct CBP to assess antidumping duties at the cash deposit rate in effect on the date of entry for entries during the period October 1, 2005, through September 30, 2006.

This notice is in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended and 19 CFR 251.213(d)(4).

Dated: May 18, 2007.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E7–10091 Filed 5–24–07; 8:45 am]

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[1] Effective January 1, 2006, U.S. Customs and Border Protection (CBP) reclassified certain HTSUS numbers related to the subject merchandise. See http://hotdocs.usitc.gov/tariff__chapters__current/toc.html.

DEPARTMENT OF COMMERCE

International Trade Administration

(C–427–819)

Low Enriched Uranium from France: Notice of Amended Final Negative Determination Pursuant to Final Court Decision, Rescission of Administrative Review, and Revocation of the Countervailing Duty Order

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

SUMMARY: On May 18, 2006, the United States Court of International Trade (''the CIT'') sustained the Department of Commerce's (''the Department's'') March 2, 2006, Final Results of Redetermination on Remand pursuant to *Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc., et. al. v. United States*, Slip. Op. 06–3 (CIT, January 5, 2006), which pertains to the Final Affirmative Countervailing Duty Determination on Low Enriched Uranium (''LEU'') from France.

Because all litigation in this matter has concluded, the Department is issuing an amended final negative determination for LEU from France and revoking the countervailing duty (''CVD'') order. The Department is also rescinding the ongoing administrative review covering the period January 1, 2006, through December 31, 2006, and will not initiate the deferred administrative review covering the period January 1, 2005, through December 31, 2005.

EFFECTIVE DATE: June 8, 2006.

FOR FURTHER INFORMATION CONTACT: Kristen Johnson, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–4793.

SUPPLEMENTARY INFORMATION:

Background

On December 21, 2001, the Department published a notice of final determination in the CVD investigation on LEU from France. *See Notice of Final Affirmative Countervailing Duty Determination: Low Enriched Uranium from France*, 66 FR 65901 (December 21, 2001) (''*LEU Final Determination*'') and accompanying Issues and Decision Memorandum. The *LEU Final Determination* was subsequently amended. *See Amended Final Determination and Notice of Countervailing Duty Order: Low Enriched Uranium from France*, 67 FR 6689 (February 13, 2002).

Eurodif, S.A., Compagnie Generale Des Matieres Nucleaires (''COGEMA''), and COGEMA Inc., et. al.[1] (collectively, ''Eurodif'' or ''respondents'') challenged the Department's final determination before the CIT. The case was later appealed to the U.S. Court of Appeals for the Federal Circuit (''Federal Circuit''). The Federal Circuit ruled in favor of respondents in *Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc., et. al. v. United States*, 411 F.3d 1355 (Fed. Cir. 2005) (''*Eurodif I*''). The court panel later clarified its ruling, issuing a decision in *Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc., et. al. v. United States*, 423 F. 3d. 1275 (Fed. Cir. 2005) (''*Eurodif II*''), which affirmed *Eurodif I*.

On January 5, 2006, the CIT remanded the case to the Department for action consistent with the decisions of the Federal Circuit in *Eurodif I* and *Eurodif II*. *See Eurodif S.A., Compagnie Generale Des Matieres Nucleaires, and Cogema Inc., et. al. v. United States*, Slip. Op. 06–3 (CIT, January 5, 2006) (''Remand Instructions''). In accordance with the CIT's instructions, the Department issued its final results of redetermination eliminating from the analysis of and calculations for the program ''Purchases at Prices that Constitute More Than Adequate Remuneration'' all SWU transactions. See the March 2, 2006, Final Results of Redetermination on Remand pursuant to Remand Instructions (''LEU Remand Redetermination''). As a result, there is no benefit or program rate for the program ''Purchases at Prices that Constitute More Than Adequate Remuneration.'' We, therefore, calculated a revised *ad valorem* subsidy rate for Eurodif for the period January 1, 1999, through December 31, 1999, based on the ''Exoneration/Reimbursement of Corporate Income Taxes'' program, which is the only other program determined to confer countervailable subsidies during the period of investigation. The revised net subsidy rate for Eurodif is 0.87 percent *ad valorem*, which is *de minimis*.

On May 18, 2006, the CIT sustained the Department's redetermination in all respects and, thus, affirmed the Department's revised analysis and calculations. On June 8, 2006, consistent with the decision of the Federal Circuit in *Timken vs. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the *Eurodif I* and

[1] COGEMA and COGEMA Inc. are now known as AREVA NC and AREVA NC, Inc.

Eurodif II decisions were not in harmony with the Department's final CVD determination for LEU from France. *See Low Enriched Uranium from France: Notice of Court Decision and Suspension of Liquidation*, 71 FR 33280 (June 8, 2006) (''*LEU Timken Notice*''). The *LEU Timken Notice* continued the suspension of liquidation, and further informed that if the CIT's decision was not appealed, or if appealed, and upheld, the Department would publish an amended final CVD determination. On July 17, 2006, USEC[2] filed a notice of appeal challenging the CIT's affirmation of the Department's remand determination. On February 9, 2007, the Federal Circuit affirmed the CIT's decision without a written opinion, pursuant to Rule 36 of the Court's rules. The deadline for filing a petition for certiorari with the Supreme Court has elapsed.

Amended Final Determination, Revocation of Order, and Rescission of Review

Because there is now a final and conclusive decision in the court proceeding, we are amending the *LEU Final Determination* to reflect the results of the LEU Remand Redetermination, which is a revised countervailable subsidy rate of 0.87 percent *ad valorem* for Eurodif during the period of investigation, which is *de minimis*. Further, because Eurodif is the only known producer/exporter of the subject merchandise, we are revoking the CVD order for all entries effective May 14, 2001, the date on which the Department published the notice of preliminary affirmative CVD determination. *See Notice of Preliminary Affirmative Countervailing Duty Determination and Alignment with Final Antidumping Duty Determination: Low Enriched Uranium from France*, 66 FR 24325 (May 14, 2001).

Accordingly, the Department will instruct U.S. Customs and Border Protection (''CBP'') to terminate the suspension of liquidation, pursuant to section 705(c)(2)(A)(B) of the Tariff Act of 1930, as amended (''the Act''). Injunctions enjoining liquidation of entries subject to the CVD order remain in place for (1) entries on or after May 14, 2001, and on or before September 11, 2001, and on or after February 13, 2002, and on or before December 31, 2002,[3] and (2) entries on or after January 1, 2003, and on or before December 31, 2003.[4] Injunctions enjoining liquidations of entries subject to the companion antidumping order remain in place for (1) entries on or after July 13, 2001, and on or before January 8, 2002, and on or after February 13, 2002, and (2) entries on or after February 1, 2003, and on or before January 31, 2004.[5] We will instruct CBP to liquidate all entries without regard to countervailing duties when the injunctions are lifted.

In accordance with 19 CFR 351.213(d)(4), the Department is rescinding the ongoing administrative review covering the period January 1, 2006, through December 31, 2006. The Department will also not initiate the administrative review covering the period January 1, 2005, through December 31, 2005, for which a deferral was published in the **Federal Register** on March 28, 2007. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 72 FR 14516 (March 28, 2007).

This determination is published pursuant to sections 705(d), 751(a)(3)(C), and 777(i) of the Act.

Dated: May 21, 2007.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E7–10136 Filed 5–24–07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping Methodologies in Proceedings Involving Certain Non–Market Economies: Market–Oriented Enterprise

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

SUMMARY: The Department of Commerce (''the Department'') requests public comment on whether it should consider granting market–economy treatment to individual respondents in antidumping proceedings involving China, the conditions under which individual firms should be granted market–economy treatment, and how such treatment might affect our antidumping calculation for such qualifying respondents.

DATES: Comments must be submitted by thirty days from the publication of this notice.

ADDRESSES: Written comments (original and ten copies) should be sent to David Spooner, Assistant Secretary for Import Administration, U.S. Department of Commerce, Central Records Unit, Room 1870, Pennsylvania Avenue and 14th Street NW, Washington, DC, 20230.

FOR FURTHER INFORMATION CONTACT: Carrie Blozy, Program Manager, AD/CVD Operations or Lawrence Norton, Economist, Office of Policy, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC, 20230, (202) 482–5403 and (202) 482–1579, respectively.

SUPPLEMENTARY INFORMATION:

Background

In antidumping proceedings involving non–market economy (''NME'') countries, it is the Department's usual practice to calculate the normal value for allegedly dumped merchandise being imported into the United States by valuing the NME producer's factors of production using, to the extent possible, prices from a market economy that is at a comparable level of economic development and that is also a significant producer of comparable merchandise. *See* section 771(c)(4) of the Tariff Act of 1930, as amended (''the Act''). Specifically, section 773(c)(1) of the Act provides for the use of factors of production to determine normal value if two conditions are met:

(A) the subject merchandise is exported from a non–market economy country; and

(B) the administering authority finds that available information does not permit the normal value of the subject merchandise to be determined as is done for respondents in market economy countries.

In all past NME proceedings involving China, the Department has found that both conditions of section 773(c)(1) are met and has calculated the normal value based on prices and costs from a surrogate country, in accordance with sections 773(c)(3) and (4) of the Act.

The Department currently employs an industry–wide test to determine whether, under section 773(c)(1)(B), available information in the NME permits the use of the market economy antidumping methodology for the NME industry producing the subject merchandise. This so–called market–oriented industry (''MOI'') test affords NME–country respondents the possibility of market economy treatment, but only on a case–by-case, industry–specific basis. This test is performed only upon request of respondent (companies and government). The Department has outlined three conditions that must be met in order for an MOI to exist: (1) that

[2] United States Enrichment Corporation and USEC Inc. (''USEC'') are the petitioners.

[3] Court number 04-00392.

[4] Court number 05-00456.

[5] Court numbers 02-00219 and 05-00564.