

their professional qualifications and expertise as related to the unique characteristics of the proposal.

The NOAA Program Officer will assess the evaluations and make a fund or do-not-fund recommendation to the Selecting Official based on the evaluations of the reviewers. Any application considered for funding may be required to address the issues raised in the evaluation of the proposal by the reviewers, Program Officer, Selecting Official, and/or Grants Officer before an award is issued.

Applications not selected for funding in FY2010 or FY2011 may be considered for funding from FY2012 funds but may be required to revalidate the terms of the original application or resubmit in the next BAA cycle if one is published for FY2012. The Program Officer, Selecting Official and/or Grants Officer may negotiate the final funding level of the proposal with the intended applicant. The Selecting Official makes the final recommendation for award to the NOAA Grants Officer who is authorized to commit the Federal Government and obligate the funds.

*Selection Factors for Projects:* Not Applicable.

*Intergovernmental Review:*

Applications submitted by State and local governments are subject to the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." Any applicant submitting an application for funding is required to complete item 16 on the SF-424 regarding clearance by the State Single Point of Contact (SPOC) established as a result of EO 12372. To find out about and comply with a State's process under EO 12372, the names, addresses and phone numbers of participating SPOC's are listed in the Office of Management and Budget's home page at <http://www.whitehouse.gov/omb/grants/spoc.html>.

*Limitation of Liability:* In no event will NOAA or the Department of Commerce be responsible for proposal preparation costs if these programs fail to receive funding or are cancelled because of other agency priorities. Publication of this announcement does not oblige NOAA to award any specific project or to obligate any available funds.

*National Environmental Policy Act (NEPA):* NOAA must analyze the potential environmental impacts, as required by the National Environmental Policy Act (NEPA), for applicant projects or proposals which are seeking NOAA Federal funding opportunities. Detailed information on NOAA compliance with NEPA can be found at the following NOAA NEPA Web site:

<http://www.nepa.noaa.gov/>, including our NOAA Administrative Order 216-6 for NEPA, [http://www.nepa.noaa.gov/NAO216\\_6.pdf](http://www.nepa.noaa.gov/NAO216_6.pdf), and the Council on Environmental Quality implementation regulations, [http://ceq.hss.doe.gov/nepa/regs/ceq/toc\\_ceq.htm](http://ceq.hss.doe.gov/nepa/regs/ceq/toc_ceq.htm). Consequently, as part of an applicant's package, and under the description of program activities, applicants are required to provide detailed information on the activities to be conducted, locations, sites, species and habitat to be affected, possible construction activities, and any environmental concerns that may exist (e.g., the use and disposal of hazardous or toxic chemicals, introduction of non-indigenous species, impacts to endangered and threatened species, aquaculture projects, and impacts to coral reef systems). In addition to providing specific information that will serve as the basis for any required impact analyses, applicants may also be requested to assist NOAA in drafting an environmental assessment, if NOAA determines an assessment is required.

Applicants will also be required to cooperate with NOAA in identifying feasible measures to reduce or avoid any identified adverse environmental impacts of their proposal. The failure to do so shall be grounds for not selecting an application. In some cases if additional information is required after an application is selected, funds can be withheld by the Grants Officer under a special award condition requiring the recipient to submit additional environmental compliance information sufficient to enable NOAA to make an assessment on any impacts that a project may have on the environment.

*The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements:* The Department of Commerce Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the **Federal Register** notice of February 11, 2008 (73 FR 7696), are applicable to this solicitation.

*Paperwork Reduction Act:* This document contains collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The use of Standard Forms 424, 424A, 424B, and SF-LLL and CD-346 has been approved by the Office of Management and Budget (OMB) under the respective control numbers 0348-0043, 0348-0044, 0348-0040, 0348-0046, and 0605-0001.

Notwithstanding any other provision of law, no person is required to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the PRA unless that collection of

information displays a currently valid OMB control number.

*Executive Order 12866:* This notice has been determined to be not significant for purposes of Executive Order 12866.

*Executive Order 13132 (Federalism):* It has been determined that this notice does not contain policies with Federalism implications as that term is defined in Executive Order 13132.

*Administrative Procedure Act/Regulatory Flexibility Act:* Prior notice and an opportunity for public comment are not required by the Administrative Procedure Act or any other law for rules concerning public property, loans, grants, benefits, and contracts (5 U.S.C. 553(a)(2)). Because notice and opportunity for comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements for the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis has not been prepared.

Dated: December 29, 2009.

**Tammy Journet,**

*Deputy Director, Acquisition and Grants Office, National Oceanic and Atmospheric Administration.*

[FR Doc. E9-31300 Filed 1-4-10; 8:45 am]

BILLING CODE 3510-12-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-831]

**Fresh Garlic From the People's Republic of China: Initiation of New Shipper Reviews**

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

**SUMMARY:** The Department of Commerce (the Department) has determined that three timely requests for a new shipper review of the antidumping duty order on fresh garlic from the People's Republic of China (PRC), meet the statutory and regulatory requirements for initiation. The period of review (POR) of these new shipper reviews is November 1, 2008 through October 31, 2009.

**EFFECTIVE DATE:** January 5, 2010.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0780.

**SUPPLEMENTARY INFORMATION:**

## Background

The notice announcing the antidumping duty order on fresh garlic from the PRC was published on November 16, 1994. See *Antidumping Duty Order: Fresh Garlic from the People's Republic of China*, 59 FR 59209 (November 16, 1994) (*Order*). On November 27, 2009, the Department received timely requests for a new shipper review from Jinxiang Chengda Imp & Exp Co., Ltd. (Chengda) and Jinxiang Yuanxin Imp & Exp Co., Ltd. (Yuanxin), and on December 1, 2009 the Department received a timely request from Zhengzhou Huachao Industrial Co., Ltd. (Huachao) in accordance with 19 CFR 351.214(c) and 351.214(d)(1). Chengda, Yuaxin and Huachao have each certified that it is both the producer and exporter of all of the fresh garlic they exported to the United States, which is the basis for its request for a new shipper review.

Pursuant to the requirements set forth in 19 CFR 351.214(b)(2)(i), in their requests for a new shipper review, Chengda, Yuaxin, and Huachao each certified that (1) it did not export fresh garlic to the United States during the period of investigation (POI); (2) since the initiation of the investigation, it has never been affiliated with any company that exported subject merchandise to the United States during the POI, including any exporter or producer not individually examined during the investigation; and (3) its export activities are not controlled by the central government of the PRC. In accordance with 19 CFR 351.214(b)(2)(iv), Chengda, Yuaxin, and Huachao submitted documentation establishing the following: (1) the date on which it first shipped fresh garlic for export to the United States and the date on which fresh garlic was first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

## Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.214(d)(1), we find that the requests submitted by Chengda, Yuaxin, and Huachao meet the threshold requirements for initiation of a new shipper review for shipments of fresh garlic from the PRC. See Memoranda to the File through Barbara E. Tillman, Director, AD/CVD Operations, Office 6, *Fresh Garlic from the People's Republic of China: Initiation of Antidumping New Shipper Review—Yuanxin, Fresh Garlic from the*

*People's Republic of China: Initiation of Antidumping New Shipper Review—Chengda*, and *Fresh Garlic from the People's Republic of China: Initiation of Antidumping New Shipper Review—Huachao*, each dated concurrently with this notice. See 19 CFR 351.214(g)(1)(i)(A).

The Department will conduct these reviews according to the deadlines set forth in section 751(a)(2)(B)(iv) of the Act. It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue questionnaires to Chengda, Yuaxin, and Huachao, which will include a separate rate section. The review will proceed if the response provides sufficient indication that Chengda, Yuaxin, and Huachao are each not subject to either *de jure* or *de facto* government control with respect to the export of fresh garlic.

We will instruct U.S. Customs and Border Protection to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the subject merchandise from Chengda, Yuaxin, and Huachao in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Chengda, Yuaxin, and Huachao each certified that it both produced and exported the subject merchandise, the sale of which is the basis for this new shipper review request, we will apply the bonding privilege to Chengda, Yuaxin, and Huachao only for subject merchandise which Chengda, Yuaxin, and Huachao each both produced and exported.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: December 29, 2009.

### Susan Kuhbach,

Senior Director, Office 1 for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-31316 Filed 1-4-10; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648–XT51

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

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

**ACTION:** Council to convene public meeting.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene joint meetings of the Standing, Special Shrimp, Special Spiny Lobster and Special Reef Fish Scientific and Statistical Committees. This document is being corrected and republished in its entirety.

**DATES:** The meetings of the Standing, Special Shrimp and Special Spiny Lobster Scientific and Statistical Committees will convene at 1:30 pm on Wednesday, January 20, 2010 and conclude no later than 5:30 pm. The meeting of the Standing and Special Reef Fish Scientific and Statistical Committees will convene at 8:30 am on Thursday, January 21, 2010 and conclude no later than 12 pm on Friday, January 22, 2010. The meetings will be webcast over the internet. A link to the webcast will be available on the Council's web site, <http://www.gulfcouncil.org>.

**ADDRESSES:** The meeting will be held at the Crowne Plaza, 2829 Williams Blvd, Kenner, LA 70062.

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

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard Leard, Deputy Executive Director; Gulf of Mexico Fishery Management Council; telephone: 813–348–1630.

### SUPPLEMENTARY INFORMATION:

#### Correction

The original document was published at 74 FR 68788, December 29, 2009, and one sentence at the end of the first paragraph under **SUPPLEMENTARY INFORMATION** was omitted and is corrected in this document.

The Standing and Special Shrimp Scientific and Statistical Committees will meet to review new approaches for assessing the stock of pink shrimp and possibly other shrimp species in the Gulf, and possibly make recommendations to the Council. The