

and value questionnaire must be submitted by all Chinese exporters/producers no later than November 7, 2012, 21 days from the signature date of this **Federal Register** notice. All quantity and value questionnaires must be filed electronically using IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department's electronic records system, IA ACCESS. Documents excepted from the electronic submission requirements must be filed manually (*i.e.*, in paper form) with the APO/Dockets Unit in Room 1870 and stamped with the date and time of receipt by the deadline noted above.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Instructions for filing such applications may be found on the Department's Web site at <http://ia.ita.doc.gov/apo>.

### Separate Rates

In order to obtain separate-rate status in an NME investigation, exporters and producers must submit a separate-rate status application.<sup>36</sup> The specific requirements for submitting the separate-rate application in this investigation are outlined in detail in the application itself, which will be available on the Department's Web site at <http://trade.gov/ia/ia-highlights-and-news.html> on the date of publication of this initiation notice in the **Federal Register**. The separate-rate application will be due 60 days after publication of this initiation notice. For exporters and producers who submit a separate-rate status application and subsequently are selected as mandatory respondents, these exporters and producers will no longer be eligible for consideration for separate rate status unless they respond to all parts of the questionnaire as mandatory respondents. As noted in the "Respondent Selection" section above, the Department requires that the PRC respondents submit a response to both the quantity and value questionnaire and the separate-rate application by the respective deadlines in order to receive consideration for separate-rate status. The quantity and value questionnaire will be available on the Department's Web site at <http://trade.gov/ia-highlights-and-news.html> on the date of the publication of this initiation notice in the **Federal Register**.

<sup>36</sup> See Policy Bulletin 05.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation Involving Non-Market Economy Countries (April 5, 2005) ("Separate Rates and Combination Rates Bulletin"), available on the Department's Web site at <http://trade.gov/ia/policy/bull05-1.pdf>.

### Use of Combination Rates

The Department will calculate combination rates for certain respondents that are eligible for a separate rate in this investigation. The Separate Rates and Combination Rates Bulletin states:

{w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that the Department will now assign in its NME Investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the weighted-average of the individually calculated rates. This practice is referred to as the application of "combination rates" because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question and produced by a firm that supplied the exporter during the period of investigation.<sup>37</sup>

### Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petition has been provided to the representatives of the Chinese Government. Because of the particularly large number of producers/exporters identified in the Petition, the Department considers the service of the public version of the Petition to the foreign producers/exporters satisfied by the delivery of the public version of the Petition to the PRC Government, consistent with 19 CFR 351.203(c)(2).

### ITC Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

### Preliminary Determination by the ITC

The ITC will preliminarily determine, no later than November 13, 2012, whether there is a reasonable indication that imports of hardwood and decorative plywood from the PRC are materially injuring, or threatening material injury to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

<sup>37</sup> See Separate Rates and Combination Rates Bulletin, at 6 (emphasis added).

### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures*, 73 FR 3634 (January 22, 2008). Parties wishing to participate in this investigation should ensure that they meet the requirements of these procedures (*e.g.*, the filing of letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information.<sup>38</sup> Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all segments of any AD/CVD proceeding initiated on or after March 14, 2011.<sup>39</sup> The formats for the revised certifications are provided at the end of the *Interim Final Rule* and the *Supplemental Interim Final Rule*. The Department intends to reject factual submissions in any proceeding segments initiated on or after March 14, 2011, if the submitting party does not comply with the revised certification requirements.

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: October 17, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### Science Advisory Board (SAB)

**AGENCY:** Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of open meeting.

<sup>38</sup> See Section 782(b) of the Act.

<sup>39</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) ("Interim Final Rule") (amending 19 CFR 351.303(g)(1) & (2)), as supplemented by *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Supplemental Interim Final Rule*, 76 FR 54697 (September 2, 2011) ("Supplemental Interim Final Rule").

**SUMMARY:** The Science Advisory Board (SAB) was established by a Decision Memorandum dated September 25, 1997, and is the only Federal Advisory Committee with responsibility to advise the Under Secretary of Commerce for Oceans and Atmosphere on strategies for research, education, and application of science to operations and information services. SAB activities and advice provide necessary input to ensure that National Oceanic and Atmospheric Administration (NOAA) science programs are of the highest quality and provide optimal support to resource management.

**DATES: Time and Date:** The meeting will be held Wednesday, November 14, 2012 from 9:15 a.m. to 5:00 p.m. and Thursday, November 15, 2012 from 8:00 a.m. to 2:30 p.m. These times and the agenda topics described below are subject to change. Please refer to the web page <http://www.sab.noaa.gov/Meetings/meetings.html> for the most up-to-date meeting agenda.

**ADDRESSES: Place:** The meeting will be held at the Hilton Doubletree Hotel, 8727 Colesville Road, Silver Spring, Maryland 20910. Please check the SAB Web site <http://www.sab.noaa.gov/Meetings/meetings.html> for directions to the meeting location.

**Status:** The meeting will be open to public participation with a 15-minute public comment period on November 14 at 4:45 p.m. (check Web site to confirm time). The SAB expects that public statements presented at its meetings will not be repetitive of previously submitted verbal or written statements. In general, each individual or group making a verbal presentation will be limited to a total time of five (5) minutes. Individuals or groups planning to make a verbal presentation should contact the SAB Executive Director by November 7, 2012 to schedule their presentation. Written comments should be received in the SAB Executive Director's Office by November 7, 2012 to provide sufficient time for SAB review. Written comments received by the SAB Executive Director after November 7, 2012 will be distributed to the SAB, but may not be reviewed prior to the meeting date. Seating at the meeting will be available on a first-come, first-served basis.

**Special Accommodations:** These meetings are physically accessible to people with disabilities. Requests for special accommodations may be directed no later than 12 p.m. on November 7, 2012, to Dr. Cynthia Decker, SAB Executive Director, SSMC3, Room 11230, 1315 East-West Hwy., Silver Spring, MD 20910.

**Matters To Be Considered:** The meeting will include the following topics: (1) Review Report on the Cooperative Institute for North Atlantic Research (CINAR); (2) Preliminary Recommendations from the SAB R&D Portfolio Review Task Force; (3) Report from the Ecosystem Sciences and Management Working Group on Ecosystem-Based Fisheries Management; (4) Final Report from the SAB Satellite Task Force (pending review of public comments); (5) Final Report of the Review of the Ocean Exploration Program by the Ocean Exploration Advisory Working Group; (6) Review of the Terms of Reference for the Environmental Information Services Working Group; (7) NOAA Response to the SAB Report from the Climate Partnership Task Force and NOAA Response to the SAB White Paper "Towards Open Weather and Climate Services"; (8) Sea Grant Advisory Board Annual Report to Congress; (9) Presentation on the National Research Council Report "Weather Services for the Nation: Becoming Second to None"; (10) Presentation on "The Scientific Challenge on Predicting the Initiation and Morphology of Thunderstorms for Aviation Weather Forecasts; and (11) Updates from SAB Working Groups.

**FOR FURTHER INFORMATION CONTACT:** Dr. Cynthia Decker, Executive Director, Science Advisory Board, NOAA, Rm. 11230, 1315 East-West Highway, Silver Spring, Maryland 20910. (Phone: 301-734-1156, Fax: 301-713-1459. Email: [Cynthia.Decker@noaa.gov](mailto:Cynthia.Decker@noaa.gov); or visit the NOAA SAB Web site at <http://www.sab.noaa.gov>.

Dated: October 19, 2012.

**Andy Baldus,**

*Acting Chief Financial Officer/Chief Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.*

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**BILLING CODE 3510-KD-P**

## COMMODITY FUTURES TRADING COMMISSION

### Swap Data Repositories: Interpretative Statement Regarding the Confidentiality and Indemnification Provisions of the Commodity Exchange Act

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Interpretative statement.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission" or "CFTC") is issuing this interpretative statement ("Statement") to provide

guidance regarding the applicability of the confidentiality and indemnification provisions set forth in new section 21(d) of the Commodity Exchange Act ("CEA") added by section 728 of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act"). This Statement clarifies that the provisions of CEA section 21(d) should not operate to inhibit or prevent foreign regulatory authorities from accessing data in which they have an independent and sufficient regulatory interest, even if that data also has been reported pursuant to the CEA and Commission regulations.

**DATES:** Effective date: October 25, 2012

**FOR FURTHER INFORMATION CONTACT:** Adedayo Banwo, Counsel, Office of the General Counsel, at (202) 418.6249, [abanwo@cftc.gov](mailto:abanwo@cftc.gov); With respect to questions relating to international consultation and coordination: Jacqueline Mesa, Director, at (202) 418.5386, [jmesa@cftc.gov](mailto:jmesa@cftc.gov), or Mauricio Melara, Attorney-Advisor, at (202) 418.5719, [mmelara@cftc.gov](mailto:mmelara@cftc.gov), Office of International Affairs, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

### SUPPLEMENTARY INFORMATION:

#### I. Background: Statutory and Regulatory Authorities

On July 21, 2010, President Obama signed into law the Dodd-Frank Act.<sup>1</sup> Title VII amended the CEA to establish a comprehensive new regulatory framework for swaps and security-based swaps.<sup>2</sup> The legislation was enacted to reduce risk, increase transparency and promote market integrity within the financial system by, among other things: (i) Providing for the registration and comprehensive regulation of swap dealers and major swap participants; (ii) imposing clearing and trade execution requirements on standardized derivative products; (iii) creating robust recordkeeping and real-time reporting regimes; and (iv) enhancing the Commission's rulemaking and enforcement authorities with respect to, among others, all registered entities and intermediaries subject to the Commission's oversight.

To enhance transparency, promote standardization and reduce systemic risk, section 727 of the Dodd-Frank Act

<sup>1</sup> See Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, 124 Stat. 1376 (2010), available at <http://www.cftc.gov/LawRegulation/OTCDERIVATIVES/index.htm>.

<sup>2</sup> Pursuant to section 701 of the Dodd-Frank Act, Title VII may be cited as the "Wall Street Transparency and Accountability Act of 2010;" 7 U.S.C. 1 et seq.