

information upon which we will rely in making our final determination, the Department will establish the briefing schedule at a later time, and will notify parties of the schedule in accordance with 19 CFR 351.309. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.<sup>10</sup>

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) The number of participants; and (3) A list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.

#### Assessment Rates

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by this review.<sup>11</sup> The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., is 0.50 percent or more) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales, in accordance with 19 CFR 351.212(b)(1).<sup>12</sup> We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis*. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

<sup>10</sup> See 19 CFR 351.309(c) and (d).

<sup>11</sup> See 19 CFR 351.212(b).

<sup>12</sup> In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

For those companies not assigned a separate rate from a prior segment of the proceeding, the Department has stated that they are not separate from the PRC-wide entity and that the administrative review will continue for these companies.<sup>13</sup>

The Department recently announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (i.e., at that exporter's rate) will be liquidated at the PRC-wide rate.<sup>14</sup>

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For each specific company listed above, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

<sup>13</sup> See footnote 6.

<sup>14</sup> For a full discussion of this practice, see *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).

#### Notification to Importers

This notice also serves as a preliminary 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: May 2, 2013.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

#### Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Respondent Selection
2. Questionnaires
3. Scope of the Order
4. Request for Revocation, In Part
5. Withdrawal of Request for Review
6. Non-Market Economy Country
7. Separate Rates
8. Separate Rate Calculation
9. PRC—Wide Entity
10. Surrogate Country and Surrogate Value Data
11. Surrogate Country
12. Economic Comparability
13. Significant Producers of Comparable Merchandise
14. Data Availability
15. Affiliations and Collapsing
16. Facts Available for NV
17. Date of Sale
18. Comparisons to Normal Value
19. U.S. Price
20. Normal Value
21. Use of Facts Available and Adverse Facts Available for EP/CEP
22. Currency Conversion

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### Advisory Committee on Supply Chain Competitiveness: Notice of Public Meeting

**AGENCY:** International Trade Administration, U.S. Department of Commerce.

**ACTION:** Notice of open meeting.

**SUMMARY:** This notice sets forth the schedule and proposed topics of discussion for a public meeting of the

Advisory Committee on Supply Chain Competitiveness (Committee).

**DATES:** The meeting will be held on June 4, 2013, from 10:00 a.m. to 2:00 p.m., Eastern Standard Time (EST).

**ADDRESSES:** The meeting will be held at the U.S. Department of Commerce, 1401 Constitution Avenue NW., Room 6029, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

Richard Boll, Office of Service Industries, International Trade Administration. (Phone: (202) 482-1135 or Email: [richard.boll@trade.gov](mailto:richard.boll@trade.gov)).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Committee was established under the discretionary authority of the Secretary of Commerce and in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2). It provides advice to the Secretary of Commerce on the necessary elements of a comprehensive, holistic national freight infrastructure and a national freight policy designed to support U.S. export and growth competitiveness, foster national economic competitiveness, and improve U.S. supply chain competitiveness in the domestic and global economy. For more information about the Committee visit: <http://ita.doc.gov/td/sif/DSCT/ACSCC/>.

Matters To Be Considered: Committee members are expected to continue to discuss the major competitiveness-related topics raised at the previous Committee meetings, including trade and competitiveness; freight movement and policy; information technology and data requirements; regulatory issues; and finance and infrastructure. The Committee's subcommittees will report on the status of their work regarding these topics. The agenda may change to accommodate Committee business. The Office of Service Industries will post the final detailed agenda on its Web site, <http://ita.doc.gov/td/sif/DSCT/ACSCC/>, at least one week prior to the meeting. The meeting will be open to the public and press on a first-come, first-served basis. Space is limited. The public meeting is physically accessible to people with disabilities. Individuals requiring accommodations, such as sign language interpretation or other ancillary aids, are asked to notify Mr. Richard Boll, at (202) 482-1135 or [richard.boll@trade.gov](mailto:richard.boll@trade.gov) five (5) business days before the meeting.

Interested parties are invited to submit written comments to the Committee at any time before and after the meeting. Parties wishing to submit written comments for consideration by the Committee in advance of this

meeting must send them to the Office of Service Industries (OSI), 1401 Constitution Ave. NW., Room 11014, Washington, DC 20230, or email to [supplychain@trade.gov](mailto:supplychain@trade.gov).

For consideration during the meeting, and to ensure transmission to the Committee prior to the meeting, comments must be received no later than 5:00 p.m. EST on May 25, 2013. Comments received after May 25, 2013, will be distributed to the Committee, but may not be considered at the meeting. The minutes of the meeting will be posted on the Committee Web site within 60 days of the meeting.

Dated: April 30, 2013.

**David Long,**

*Director, Office of Service Industries.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**RIN 0648-XC645**

**Taking of Threatened or Endangered Marine Mammals Incidental to Commercial Fishing Operations; Issuance of Permit**

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

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

**SUMMARY:** NMFS plans to issue a permit for a period of three years to authorize the incidental, but not intentional, taking of three stocks of marine mammals listed as threatened or endangered under the Endangered Species Act (ESA) by the California (CA) thresher shark/swordfish drift gillnet (DGN) fishery ( $\geq 14$  inch mesh) and the Washington/Oregon/California (WA/OR/CA) sablefish pot fishery. In accordance with the Marine Mammal Protection Act (MMPA), NMFS has made a preliminary determination that incidental taking from commercial fishing will have a negligible impact on the endangered fin whale, CA/OR/WA stock; humpback whale, CA/OR/WA stock; and sperm whale, CA/OR/WA stock. Recovery plans have been completed for these endangered species. This authorization is based on a determination that this incidental take will have a negligible impact on the affected marine mammal stocks. NMFS must issue this permit provided that we can make the determinations that: the incidental take will have a negligible

impact on the affected marine mammal stocks; a recovery plan for all affected stocks of threatened or endangered marine mammals has been developed or is being developed; and as required by the MMPA, a take reduction plan and monitoring program have been implemented and vessels in the CA thresher shark/swordfish DGN fishery ( $\geq 14$  inch mesh) and WA/OR/CA sablefish pot fishery are registered. NMFS solicits public comments on the draft negligible impact determination and on the proposal to issue a permit to these fisheries for the taking of affected threatened or endangered stocks of marine mammals.

**DATES:** Comments must be received by June 7, 2013.

**ADDRESSES:** A draft of the negligible impact determination is available on the Internet at the following address: <http://swr.nmfs.noaa.gov/>. Recovery plans for these species are available on the Internet at the following address: <http://www.nmfs.noaa.gov/pr/recovery/plans.htm#mammals>.

You may submit comments, identified by NOAA-NMFS-2013-0073, by any of the following methods:

**Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal. Go to [www.regulations.gov/](http://www.regulations.gov/) #!docketDetail;D=NOAA-NMFS-2013-0073, click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

**Mail:** Send comments or requests for copies of reports to: Chris Yates, Assistant Regional Administrator, Protected Resources Division, Southwest Region, NMFS, 501 W Ocean Blvd., Suite 4200, Long Beach, CA 90802 Comments may also be faxed to (562) 980-4027.

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter N/A in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

**FOR FURTHER INFORMATION CONTACT:** Monica DeAngelis, NMFS Southwest