

industries. Unfinished conduit pipe is also included in these orders. All carbon steel pipes and tubes within the physical description outlined above are included within the scope of these orders, except line pipe, oil country tubular goods, boiler tubing, mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished conduit. Standard pipe that is dual or triple certified/stenciled that enters the U.S. as line pipe of a kind used for oil or gas pipelines is also not included in these orders.

Imports of the products covered by these orders are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90.

Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of these proceedings is dispositive.

#### **Preliminary Intent to Rescind New Shipper Review**

The Department may rescind a new shipper review with respect to an exporter or producer if the Department concludes that there were no entries, exports, or sales of the subject merchandise to the United States during the period of review. *See* 19 CFR § 351.214(f)(2). In response to the Department's questionnaire, Conduit provided full and complete responses attesting to their qualification as a new shipper under the Department's regulations, and established that a completed transaction (a sale and entry) of subject merchandise pipe and tube was sold to an unaffiliated customer in the United States.

The Department conducted its verification of Conduit's responses in Mexico City from February 28, 2007, through March 2, 2007. The purpose of the Department's verification was to verify Conduit's one reported sale; however, during the verification, Conduit presented additional documentation of an unreported sale. Further examination of Conduit's quality certificates, production run data and additional sales documentation not presented to the Department during the questionnaire response period confirmed that the merchandise sold in the unreported sale was identical to the merchandise sold in the reported sale that is subject to this new shipper review. *See* Memorandum to the File from John Drury and Patrick Edwards, Analysts, through Angelica Mendoza, Program Manager regarding Verification

of Sales Response of Conduit S.A. de C.V. in the Antidumping New Shipper Review of Certain Circular Welded Non-Alloy Steel Pipe and Tube from Mexico, dated March 23, 2007, on file in the Central Records Unit, room B-099 of the main Commerce building.

Additionally, the documentation examined by the Department concerning the unreported sale, which was made in November 2005, indicated that the merchandise was of a type of tubing made to the American Society for Testing and Materials (ASTM) standard of A-513, which is a mechanical tubing specification. The Department examined production documentation and quality certificates for the sale, confirming that, given its chemical composition and wall thickness, the pipe was indeed in conformance with the ASTM A-513 standard and not the product subject to this Order.

Previous rulings on the scope of the Order prescribe that pipe produced to the A-513 standard, or generally "mechanical tubing," is specifically excluded from the scope of the antidumping duty order on pipe and tube from Mexico. *See* section on "Scope of the Order" above. *See also*, Third Determination on Remand, *In the matter of: Final Scope Ruling – Antidumping Duty Order on Circular Welded Non-Alloy Steel Pipe from Mexico*, Secretariat File No. USA-MEX\_1998-1904-05 (February 19, 2004) (*NAFTA Scope Decision*). In its submission to the panel, during the *NAFTA Scope Decision* proceeding, the Department explained that, "while mechanical tubing can comply with basic description of the pipe subject to this order, its removal from the order is based on its recognition by purchasers and producers as a specialized, made-to-order product. This denotes a product possessing unique chemical, physical, and mechanical characteristics, most notably the physical characteristics. It is a custom made, unique size product that is made to order, thereby differentiating it from the 'standard sizes' of pipe and fence tubing covered by the order. Non-standard pipe sizes generally would be considered to be outside the scope of the order the Department reiterates that mechanical tubing is outside of the scope of the Order." The Panel affirmed this finding by the Department on June 7, 2004.

Therefore, since this product possesses unique physical characteristics that do not comply with the products subject to this order, and based on the *NAFTA Scope Decision*, the Department preliminarily determines that there is no sale or entry of subject merchandise to examine, as

prescribed under 19 CFR § 351.214(f)(2) of the Department's regulations. Accordingly, the Department preliminarily intends to rescind this new shipper review.

#### **Public Comment**

Interested parties may submit case briefs no later than 15 days after the date of publication of this notice of intent to rescind. *See* 19 CFR § 351.309(c)(ii). Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than five days after the time limit for filing the case briefs. *See* 19 CFR § 351.309(d). Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, (2) a brief summary of the argument, and (3) a table of authorities. Further, parties submitting written comments should provide the Department with an additional copy of the public version of any such comments on diskette. An interested party may request a hearing within 15 days of publication of this notice of intent to rescind. *See* 19 CFR § 351.310(c). Any hearing, if requested, will be held two days after the scheduled date for submission rebuttal briefs, or the first working day thereafter. *See* 19 CFR § 351.310(d)(1). The Department will issue the final notice, which will include the results of its analysis of issues raised in any such comments, or at a hearing, if requested, within 120 days of publication of this notice of intent to rescind.

This notice is issued and published in accordance with sections 751(a)(2) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: April 13, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E7-7597 Filed 4-19-07; 8:45 am]

**BILLING CODE 3510-DS-8**

## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**C-122-815**

#### **Pure Magnesium and Alloy Magnesium from Canada: Preliminary Results of Countervailing Duty Administrative Reviews**

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

**SUMMARY:** The Department of Commerce is conducting administrative reviews of the countervailing duty orders on pure magnesium and alloy magnesium from Canada for the period January 1, 2005,

through August 15, 2005. We preliminarily find that the countervailing duty rates during the period of review for the producer/exporter covered by these reviews is zero. If the final results remain the same as these preliminary results, we will instruct U.S. Customs and Border Protection to assess countervailing duties as detailed in the "Preliminary Results of Reviews" section of this notice. Interested parties are invited to comment on these preliminary results (see the "Public Comment" section of this notice).

**EFFECTIVE DATE:** April 20, 2007.

**FOR FURTHER INFORMATION CONTACT:** Andrew McAllister or Devta Ohri, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-1174 or (202) 482-3853, respectively.

**SUPPLEMENTARY INFORMATION:**

**Case History**

On August 31, 1992, the Department of Commerce ("the Department") published in the **Federal Register** the countervailing duty orders on pure magnesium and alloy magnesium from Canada (see *Countervailing Duty Orders: Pure Magnesium and Alloy Magnesium From Canada*, 57 FR 39392 (August 31, 1992) ("Magnesium Investigation"). On August 1, 2006, the Department published a notice of "Opportunity to Request Administrative Review" of these countervailing duty orders (see *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 71 FR 44085). We received a timely request for review from Norsk Hydro Canada, Inc. ("NHCI"). On September 29, 2006, we initiated these reviews covering shipments of subject merchandise from NHCI (see *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 71 FR 57465).

On October 19, 2006, we issued countervailing duty questionnaires to NHCI, the Government of Québec ("GOQ"), and the Government of Canada ("GOC"). We received questionnaire responses from NHCI on November 20, 2006, the GOQ on November 22, 2006, and the GOC on December 14, 2006.

**Scope of the Orders**

The products covered by these orders are shipments of pure and alloy magnesium from Canada. Pure magnesium contains at least 99.8

percent magnesium by weight and is sold in various slab and ingot forms and sizes. Magnesium alloys contain less than 99.8 percent magnesium by weight with magnesium being the largest metallic element in the alloy by weight, and are sold in various ingot and billet forms and sizes.

The pure and alloy magnesium subject to the orders is currently classifiable under items 8104.11.0000 and 8104.19.0000, respectively, of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written descriptions of the merchandise subject to the orders are dispositive.

Secondary and granular magnesium are not included in the scope of these orders. Our reasons for excluding granular magnesium are summarized in *Preliminary Determination of Sales at Less Than Fair Value: Pure and Alloy Magnesium From Canada*, 57 FR 6094 (February 20, 1992).

**Period of Review**

The period of review ("POR") for which we are measuring subsidies is January 1, 2005, through August 15, 2005.

**Analysis of Programs**

*I. Programs Preliminarily Determined To Be Not Used*

We examined the following programs and preliminarily determine that NHCI did not apply for or receive benefits under these programs during the POR:

- Article 7 Grant from the Québec Industrial Development Corporation ("SDI")

- Emploi-Québec Manpower Training Program

- St. Lawrence River Environment Technology Development Program
- Program for Export Market Development

- The Export Development Corporation
- Canada-Québec Subsidiary Agreement on the Economic Development of the Regions of Québec
- Opportunities to Stimulate Technology Programs
- Development Assistance Program
- Industrial Feasibility Study Assistance Program
- Export Promotion Assistance Program
- Creation of Scientific Jobs in Industries

- Business Investment Assistance Program

- Business Financing Program
- Research and Innovation Activities Program

- Export Assistance Program
- Energy Technologies Development Program

- Financial Assistance Program for Research Formation and for the Improvement of the Recycling Industry
- Transportation Research and Development Assistance Program

*II. Program Previously Determined To Be Terminated*

- Exemption from Payment of Water Bills

**Preliminary Results of Reviews**

For the period January 1, 2005, through August 15, 2005, we preliminarily find the net subsidy rate for NHCI to be 0.00 percent.

**Cash Deposit Instructions**

On July 6, 2006, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1)(iii), the Department revoked the countervailing duty orders on pure magnesium and alloy magnesium from Canada (see *Revocation of the Countervailing Duty Orders: Pure Magnesium and Alloy Magnesium from Canada*, 71 FR 38382 (July 6, 2006)). The effective date of the revocations is August 16, 2005. As a result of this action, we do not intend to issue cash deposit instructions.

**Liquidation Instructions**

If the final results of these reviews remain the same as these preliminary results, we will instruct CBP to liquidate entries during the period January 1, 2005, through August 15, 2005, without regard to countervailing duties in accordance with 19 CFR 351.106(c)(1). The Department will issue appropriate instructions directly to CBP within 41 days of publication of the final results of these reviews.

For all other companies that were not reviewed (except Timminco Limited which is excluded from the orders), the Department has directed CBP to assess countervailing duties on all entries between January 1, 2005, and August 15, 2005, at the rates in effect at the time of entry.

**Public Comment**

Pursuant to 19 CFR 351.310(c), any interested party may request a hearing within 30 days of publication of this notice. Any hearing, if requested, will be held 42 days after the publication of this notice, or the first workday thereafter. Issues raised in the hearing

will be limited to those raised in the case and rebuttal briefs. Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. See 19 CFR 351.309(d). Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included.

The Department will issue the final results of these administrative reviews, including the results of its analysis of issues raised in any such written briefs or hearing, within 120 days of publication of these preliminary results. See section 751(a)(3) of the Act.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 13, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

[FR Doc. E7-7598 Filed 4-19-07; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### Minority Business Development Agency

#### White House Initiative on Asian Americans and Pacific Islanders, President's Advisory Commission on Asian Americans and Pacific Islanders

**AGENCY:** Minority Business Development Agency, Department of Commerce.

**ACTION:** Notice of Public Teleconference Meeting.

**SUMMARY:** The President's Advisory Commission on Asian Americans and Pacific Islanders (Commission) will convene a teleconference meeting on May 7, 2007 to deliberate the draft Commission report to the President. This meeting is open to the public and interested persons may listen to the teleconference by using the call-in number and pass code provided below (see **ADDRESSES**).

**DATES:** Monday, May 7, 2007, beginning at 3:15 p.m. (EDT).

**ADDRESSES:** By telephone: Beginning at 3 p.m. (EDT) on Monday, May 7, 2007, members of the public may call 1-888-391-9505 and dial pass code 7265419 to access the teleconference. Advance registration is not required.

**FOR FURTHER INFORMATION CONTACT:** For information regarding the Commission, please contact Ms. Cianna Ferrer, Executive Assistant, Office of the White House Initiative on Asian Americans and Pacific Islanders, Minority Business Development Agency, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Room 5612, Washington, DC 20230; telephone (202) 482-3949; facsimile (202) 501-6239; e-mail: [info@aapi.gov](mailto:info@aapi.gov). Note that any correspondence sent by regular mail may be substantially delayed or suspended in delivery, since all regular mail sent to the Department of Commerce is subject to extensive security screening.

**SUPPLEMENTARY INFORMATION:** In accordance with Section 10(a)(2) of the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2), public announcement is made of the Commission's intent to convene a teleconference meeting on May 7, 2007. This meeting is open to the public and interested persons may listen to the teleconference by using the call-in number and pass code set forth above (see **ADDRESSES**). Advance registration is not required to access the teleconference.

Prospective agenda items for the meeting include a deliberation of the draft Commission report to the President, discussion regarding ratification of the report, administrative tasks and such other Commission business as may arise during the course of the meeting. The Commission welcomes interested persons to submit written comments at any time before or after the meeting to the Office of the White House Initiative on Asian Americans and Pacific Islanders (see **FOR FURTHER INFORMATION CONTACT**). To facilitate distribution of written comments to Commission members prior to the meeting, the Commission suggests that comments be submitted by facsimile or by e-mail no later than May 3, 2007. The Commission will not be receiving public comment during the meeting.

Dated: April 16, 2007.

**Ronald N. Langston,**

*National Director, Minority Business Development Agency.*

[FR Doc. E7-7483 Filed 4-19-07; 8:45 am]

**BILLING CODE 3510-21-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 041107A]

#### Marine Mammals; File No. 1121-1900; Correction

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

**ACTION:** Notice; receipt of application; correction.

**SUMMARY:** Notice is hereby given that NOAA Fisheries Office of Science and Technology (Principal Investigator: Dr. Brandon Southall), Silver Spring, MD, has applied in due form for a permit to conduct scientific research on marine mammals.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before May 17, 2007.

**ADDRESSES:** The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)427-2521; <http://www.nmfs.noaa.gov/pr/permits/review.htm>; and

Southeast Region, NMFS, 263 13th Avenue South, Saint Petersburg, FL 33701; phone (727)824-5312; fax (727)824-5309.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits, Conservation and Education Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301)427-2521, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period.

Comments may also be submitted by e-mail. The mailbox address for providing e-mail comments is [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov). Include in the subject line of the e-mail comment the following document identifier: File No. 1121-1900.

**FOR FURTHER INFORMATION CONTACT:** Tammy Adams or Jolie Harrison, (301)713-2289.