

However, we disagree with MTZ that our inclusion in the benefit calculation of all the DEPB credits MTZ reported constitutes a ministerial error. In the original questionnaire and in the first and second supplemental questionnaires we asked MTZ to report the date of shipment for all exports on which the benefits from its DEPS/DEPB licenses were earned, and to report such information for all credits earned during the period of review (POR). In MTZ's first supplemental response, MTZ reported the date of all licenses issued within the POR. MTZ also reported all credits earned under those licenses. However, MTZ did not report, for all of these credits, the dates of shipment for the related exports. In the second supplemental response, MTZ provided data for the DEPS/DEPB in the format requested by the Department, but did not include all previously reported licenses. At verification, MTZ noted as a minor correction and clarification, that it had erroneously omitted some licenses from the data set, and provided the verifiers with the information for those licenses identified to the Department. Although MTZ provided shipment data, including date, for some of the licenses at verification, it failed to do so for all of the licenses originally reported to the Department in its first supplemental response. Thus, there remained several licenses for which there was no shipment date reported. Based on the conclusion that MTZ reported its DEPS/DEPB licenses and credits earned as we had instructed, we considered that the credits were earned based on shipments made during the POR. Therefore, we included in our benefit calculations all of the DEPS/DEPB credits earned that MTZ reported.

During the course of the administrative review, MTZ failed to identify reported DEPS/DEPB credits that were earned outside the POR. Accordingly, without the information necessary for the Department to identify when the benefit was conferred, we appropriately relied on the date of the license to calculate the benefit. In conclusion, MTZ has not established that the Department made a ministerial error in its calculation of MTZ's DEPS/DEPB benefits. As such, no changes to the calculations for the *Final Results* are warranted. See *Ministerial Error Memo*.

In accordance with 19 CFR 351.224(e), we have amended the final results of the countervailing duty administrative review of PET Film, Sheet, and Strip from India, for the period January 1, 2005 to December 31, 2005, and the respondent MTZ, as noted above. As a result of these corrections,

MTZ's rate has changed as shown below.

Manufacturer/exporter	Net subsidy rate
MTZ Polyfilms, Ltd.	31.25%.

Assessment and Cash Deposit Instructions

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these amended final results of review to liquidate shipments of subject merchandise by MTZ entered, or withdrawn from warehouse, for consumption on or after January 1, 2005 through December 31, 2005, at 31.25 percent *ad valorem*. We will also instruct CBP to collect cash deposits of the amended estimated countervailing duties, at this rate, on shipments of the subject merchandise by MTZ entered, or withdrawn from warehouse, for consumption on or after the date of publication of these amended final results of review.

We are issuing and publishing these amended final results in accordance with 19 CFR 351.224(e) of the Department's regulations.

Dated: March 12, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG18

Identification of Nations Whose Fishing Vessels Are Engaged in Illegal, Unreported, or Unregulated Fishing and/or Bycatch of Protected Living Marine Resources

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

ACTION: Notice; request for information.

SUMMARY: NMFS is seeking information regarding nations whose vessels are engaged in illegal, unregulated, or unreported (IUU) fishing or engaged in bycatch of protected living marine resources (PLMRs). Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium

Protection Act (Moratorium Protection Act).

DATES: Information must be received by April 21, 2008

ADDRESSES: Information must be submitted by mail to NMFS Office of International Affairs, Attn.: Laura Cimo, 1315 East-West Highway, Silver Spring, MD 20910; by E-mail to: laura.cimo@noaa.gov; or by fax to (301) 713-9106.

FOR FURTHER INFORMATION CONTACT:

Laura Cimo, NMFS Office of International Affairs, (301) 713-9090 ext. 132, e-mail address: laura.cimo@noaa.gov.

SUPPLEMENTARY INFORMATION: The Moratorium Protection Act, as amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, requires the United States to strengthen international fishery management organizations and address IUU fishing and bycatch of PLMRs. Specifically, the Moratorium Protection Act requires the Secretary of Commerce to identify in a biennial report to Congress those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding two years, in IUU fishing. Additionally, the Secretary of Commerce must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged during the preceding calendar year, in fishing activities either in waters beyond any national jurisdiction that result in bycatch of a PLMR, or beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States.

The first biennial report is due to Congress in January 2009. The Moratorium Protection Act also mandates the development of regulations that set forth the certification procedures for nations identified in the biennial report. NMFS is currently in the process of developing these regulations and will promulgate a final rule prior to issuing the first certification decisions under this statute. The public will be provided an opportunity to comment on the proposed rule when it is published at a later date.

At this time, NMFS is gathering information for the purposes of identifying nations whose fishing vessels are engaged in IUU fishing or fishing practices that result in bycatch of PLMRs for publication in the first biennial report to Congress. NMFS is soliciting from the public, other nations and international organizations,

information that is relevant to the identification of nations engaged in IUU activities and bycatch. Sources of information that NMFS may rely upon to make identifications include, but are not limited to:

- fishing vessel records;
- reports from off-loading facilities, port-side government officials, enforcement agents, military personnel, port inspectors, transshipment vessel workers and fish importers;
- government vessel registries;
- IUU vessel lists from RFMOs;
- RFMO catch documents and statistical document programs;
- appropriate catch or trade certification programs; and
- statistical data or incident reports from governments, international organizations, or nongovernmental organizations.

NMFS will consider all available information, as appropriate, when making a determination whether or not to identify a particular nation in the biennial report to Congress. In its determinations as to whether information is appropriate for use in making identifications, NMFS will consider several criteria, including, but not limited to:

- whether the information can be corroborated;
- whether multiple sources have been able to provide information in support of an identification;
- the methodology used to collect the information;
- specificity of the information provided;
- susceptibility of the information to falsification and alteration; and
- credibility of the individual or organization providing the information.

In addition, NMFS poses the following questions: What sources of information should NMFS consider in identifying nations engaged in IUU fishing activities and bycatch of protected living marine resources? Would the above sources of information be useful to NMFS in making such identifications?

In order to process and verify all information in a timely manner, NMFS will not be able to consider any information submitted after the close of the information gathering period (see **DATES**).

Dated: March 17, 2008.

Rebecca Lent

*Director, Office of International Affairs,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG38

International Whaling Commission; 60th Annual Meeting; Nominations

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

ACTION: Notice; request for nominations.

SUMMARY: This notice is a call for nominees for the U.S. Delegation to the June 2008 International Whaling Commission (IWC) annual meeting. The non-federal representative(s) selected as a result of this nomination process is(are) responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental organizations. Generally, only one non-governmental position is selected for the U.S. Delegation.

DATES: The IWC is holding its 60th annual meeting from June 23-27, 2008, in Santiago, Chile. All written nominations for the U.S. Delegation to the IWC annual meeting must be received by April 18, 2008.

ADDRESSES: All nominations for the U.S. Delegation to the IWC annual meeting should be addressed to Bill Hogarth, U.S. Commissioner to the IWC, and sent via post to: Cheri McCarty, National Marine Fisheries Service, Office of International Affairs, 1315 East-West Highway, SSMC3 Room 12603, Silver Spring, MD 20910.

FOR FURTHER INFORMATION CONTACT: Cheri McCarty, 301-713-9090, ext. 183.

SUPPLEMENTARY INFORMATION: The Secretary of Commerce is charged with the responsibility of discharging the domestic obligations of the United States under the International Convention for the Regulation of Whaling, 1946. The U.S. IWC Commissioner has responsibility for the preparation and negotiation of U.S. positions on international issues concerning whaling and for all matters involving the IWC. He is staffed by the Department of Commerce and assisted by the Department of State, the Department of the Interior, the Marine Mammal Commission, and by other agencies. The non-federal representative(s) selected as a result of this nomination process is(are) responsible for providing input and recommendations to the U.S. IWC Commissioner representing the positions of non-governmental

organizations. Generally, only one non-governmental position is selected for the U.S. Delegation.

Dated: March 17, 2008.

Rebecca Lent,

*Director, Office of International Affairs,
National Marine Fisheries Service.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XG43

Marine Mammals; Photography Permit Application No. 10133

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

ACTION: Notice; receipt of application.

SUMMARY: Notice is hereby given that Zvi Livnat, P.O. Box 1209, Kealahou, Hawaii 96750, has applied in due form for a permit to conduct commercial/educational photography of spinner dolphins (*Stenella longirostris*).

DATES: Written, telefaxed, or e-mail comments must be received on or before April 21, 2008.

ADDRESSES: The application and related documents are available for review upon written request or by appointment in the following offices:

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)713-0376; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808)944-2200; fax (808)973-2941.

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)713-0376, 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