

averaged to determine the total score for each application. The evaluation criteria scores assigned by the panel determine which applications are recommended for funding.

Based on the scores assigned by selection panel members and deliberations by the selection panel, the selection panel ranks all applications based on scores and forwards the applications with the ten highest total scores ("top-ranked applications") to the Assistant Secretary for Manufacturing and Services, and recommends which of the top applications should receive funding. If the amount of funds requested by the top ten applicants is less than the funding available, the selection panel recommends additional applications for funding in rank order. The selection panel's recommendation will not deviate from the rank order. For example, the selection panel cannot recommend funding for the application ranked seventh without recommending funding for applicants ranked first through sixth. The selection panel recommendation includes the panel's written assessment of the strengths and weaknesses of the top-ranked applications.

**Selection Factors for Projects:** From the top-ranked applications forwarded by the selection panel, the Assistant Secretary for Manufacturing and Services selects those applications that will receive funding. In addition to the evaluation criteria, the Assistant Secretary for Manufacturing and Services may consider the selection factors listed below:

1. The selection panel's written assessments;
2. Degree to which applications satisfy the ITA priorities established under Program Priorities;
3. Geographic distribution of the proposed awards;
4. Diversity of industry sectors and overseas markets covered by the proposed awards;
5. Diversity of project activities represented by the proposed awards;
6. Avoidance of redundancy and conflicts with the initiatives of other federal agencies; and
7. Availability of funds.

**Intergovernmental Review:** There are no intergovernmental review requirements beyond those already noted.

**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 obligate NOAA to award any specific

project or to obligate any available funds.

**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: March 2, 2010.

**Robert W. Pearson,**

*Director, Office of Planning, Coordination and Management, Manufacturing and Services, International Trade Administration, Department of Commerce.*

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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 and request for information.

**SUMMARY:** NMFS is seeking information regarding nations whose vessels are engaged in illegal, unregulated, or unreported (IUU) fishing or 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 should be received on or before April 5, 2010.

**ADDRESSES:** Information should be submitted to NMFS Office of International Affairs, Attn.: MSRA Information, 1315 East-West Highway, Silver Spring, MD 20910. E-mail address: [IUU.PLMR.INFO@noaa.gov](mailto:IUU.PLMR.INFO@noaa.gov) or fax (301) 713–9106.

**FOR FURTHER INFORMATION CONTACT:** NMFS Office of International Affairs, e-mail address: [IUU.PLMR.INFO@noaa.gov](mailto:IUU.PLMR.INFO@noaa.gov).

**SUPPLEMENTARY INFORMATION:** The Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (MSRA) amended the Moratorium Protection Act (16 U.S.C. 1826d-k) to require actions be taken by 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 (Secretary) 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 2 years, in IUU fishing. In this context, IUU fishing is defined (16 U.S.C. 1826j; 50 CFR 300.200–201) as:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch

limits or quotas, capacity restrictions, and bycatch reduction requirements;

(2) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks; and

(3) Fishing activity that has an adverse impact on seamounts, hydrothermal vents, and cold water corals located beyond national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement.

Additionally, the Secretary 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 (1) in waters beyond any national jurisdiction that result in bycatch of a PLMR, or (2) beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States. In this context, PLMRs are defined as non-target fish, sea turtles, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, or any international fishery management agreement. (A list of species considered as PLMRs for this purpose is available online at: <http://www.nmfs.noaa.gov/msa2007/mrip.htm>)

The first biennial report was submitted to Congress in January 2009 and is available online at [http://www.nmfs.noaa.gov/msa2007/docs/msra\\_biennial\\_report\\_011309.pdf](http://www.nmfs.noaa.gov/msa2007/docs/msra_biennial_report_011309.pdf). The report identified six nations for IUU fishing.

The Moratorium Protection Act also requires the Secretary to establish procedures to certify whether each nation identified in the biennial report is taking appropriate corrective action to address IUU fishing and/or bycatch of PLMRs by fishing vessels of that nation. If a nation does not receive a positive certification by the Secretary, they could be subject to sanctions under the High Seas Driftnet Fisheries Enforcement Act (Enforcement Act)(16 U.S.C. 1826a). On January 14, 2009, NMFS published a

proposed rule to implement both the identification and certification procedures. (That proposed rule is available online at [http://www.nmfs.noaa.gov/msa2007/docs/iuu\\_bycatch\\_rule011409.pdf](http://www.nmfs.noaa.gov/msa2007/docs/iuu_bycatch_rule011409.pdf).) The rule provides information regarding the identification process and how the information solicited here will be used in that process.

In fulfillment of its requirements under the Moratorium Protection Act, NMFS is preparing the second biennial report to Congress, which will identify nations whose fishing vessels are engaged in IUU fishing, or fishing practices that result in bycatch of PLMRs. NMFS is soliciting information from the public that could assist in its identification of nations engaged in activities that meet one or more of the three criteria described above for IUU fishing or one or more of the two criteria described above for PLMR bycatch. Information that may prove useful to NMFS includes:

- Documentation (photographs, etc.) of IUU activity or PLMR bycatch;
- 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 certification programs; and
- 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. NMFS is particularly interested in information on IUU fishing activity and bycatch of PLMRs that occurred during 2009–2010. NMFS will consider several criteria when determining whether information is appropriate for use in making identifications, including but not limited to:

- Corroboration of information;
- 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 individuals or organization providing the information.

Information should be as specific as possible as this will assist NMFS in its review.

Dated: March 1, 2010.

**Rebecca Lent,**

*Director, Office of International Affairs, NOAA Fisheries Service.*

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**BILLING CODE 3510–22–S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–890]

#### Wooden Bedroom Furniture from the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews

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

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

**SUMMARY:** The Department of Commerce (“Department”) has determined that three requests for new shipper reviews of the antidumping duty order on wooden bedroom furniture from the People’s Republic of China (“PRC”) meet the statutory and regulatory requirements for initiation. The period of review (“POR”) for the three new shipper reviews is January 1, 2009, through December 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Pedersen, Rebecca Pandolph, or David Edmiston, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230, telephone: (202) 482–2769, (202) 482–3627, or (202) 482–0989 respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The antidumping duty order on wooden bedroom furniture from the PRC was published on January 4, 2005. See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Wooden Bedroom Furniture From the People's Republic of China*, 70 FR 329 (January 4, 2005). On January 21, and 29, 2010, pursuant to section 751(a)(2)(B)(i) of the Tariff Act of 1930, as amended (the “Act”), and 19 CFR 351.214(c), the Department received timely requests for new shipper reviews from Dongguan Huansheng Furniture Co., Ltd. (“Dongguan Huansheng”); Hangzhou Cadman Trading Co., Ltd. (“Cadman”); and Wanvog Furniture (Kunshan) Co., Ltd. (“Wanvog”).