

**DEPARTMENT OF COMMERCE****Submission for OMB Review;  
Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* U.S. Census Bureau.

*Title:* 2011 New York City Housing and Vacancy Survey.

*OMB Control Number:* 0607-0757.

*Form Number(s):* H-100, H-108, H-100L, H-100(L)A.

*Type of Request:* Revision of a currently approved collection.

*Burden Hours:* 9,364.

*Number of Respondents:* 18,750.

*Average Hours per Response:* 27 minutes.

*Needs and Uses:* The U.S. Census Bureau requests approval to conduct the 2011 New York City Housing and Vacancy Survey (NYCHVS). The Census Bureau will conduct this survey for the New York City Department of Housing Preservation and Development (NYCHPD). Pursuant to the Local Emergency Housing Rent Control Act (Chapter 8603, Laws of New York, 1963, as amended by Chapter 657, Laws of New York, 1967) and sections 26-414 and 26-415 of the Administrative Code of the City, a survey is required in order to determine the supply, condition, and vacancy rate of housing in the city. The NYCHPD must take this survey every three years. The Census Bureau has conducted this survey for the city since 1962, most recently in 2008.

Census Bureau field representatives will conduct personal visit interviews for a sample of housing units in the City, the vast majority of which are rental units in multi-unit rental structures (apartment buildings). Single-family rental or owner-occupied units (houses), however, are not excluded from the sample. We will interview residents (occupied units) or other knowledgeable people such as a building manager, superintendent, or rental or real estate agent (vacant units) to gather information on vacancy rates, housing costs, and the income of residents. About ten percent of the sample will be reinterviewed for quality control purposes.

The 2011 NYCHVS will be an up-to-date and comprehensive data source required by rent regulation laws as well as a source of data needed to evaluate the city's housing policies. Specifically, the city will look to the 2011 survey to provide accurate and reliable estimates

of the rental and homeowner vacancy rates, to measure improvements in housing and neighborhood conditions, and to provide data on low-income, doubled-up, and crowded households at risk of becoming homeless. The city will use the results to develop programs and policies that aim to improve housing conditions.

*Affected Public:* Individuals or households, Business or other for-profit.

*Frequency:* Every three years.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Title 13 U.S.C., section 8b.

*OMB Desk Officer:* Brian Harris-Kojetin, (202) 395-7314.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dhynek@doc.gov](mailto:dhynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Brian Harris-Kojetin, OMB Desk Officer either by fax (202-395-7245) or e-mail ([bharrisk@omb.eop.gov](mailto:bharrisk@omb.eop.gov)).

Dated: March 31, 2010.

**Glenna Mickelson,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 2010-7597 Filed 4-2-10; 8:45 am]

**BILLING CODE 3510-07-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

**[A-201-822]**

**Stainless Steel Sheet and Strip in Coils from Mexico; Notice of Amended Final Results of Antidumping Duty Administrative Review**

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

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

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards, Brian Davis, or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-8029, (202) 482-7924, and (202) 482-3019, respectively.

**SUPPLEMENTARY INFORMATION:**

**Amendment to the Final Results**

In accordance with sections 751(a) and 777(i)(1) of the Tariff Act of 1930, as amended, (the Act), on February 3, 2010, the Department issued its final results in the administrative review of the antidumping duty order on stainless steel sheet and strip in coils (S4 in coils) from Mexico, covering the period July 1, 2007, to June 30, 2008. The final results were subsequently released to all parties in the proceeding, and published in the **Federal Register** on February 10, 2010. *See Stainless Steel Sheet and Strip in Coils from Mexico; Final Results of Antidumping Duty Administrative Review*, 75 FR 6627 (February 10, 2010) (*S4 from Mexico 2007-2008 Final Results*). On February 24, 2010, and pursuant to 19 CFR 351.224(c)(2), we received a timely-filed allegation from the respondents in this administrative review, ThyssenKrupp Mexinox S.A. de C.V. (Mexinox SA) and Mexinox USA, Inc. (Mexinox USA) (collectively referred to as Mexinox), that the Department made ministerial errors with respect to the calculation of Mexinox's importer-specific assessment rate. *See* Letter from Mexinox to the Department of Commerce, regarding "Ministerial Error Comments," dated February 24, 2010 (Mexinox Ministerial Letter). On March 1, 2010, we received comments from Allegheny Ludlum Corporation, AK Steel Corporation, and North American Stainless (collectively referred to as petitioners) regarding the ministerial errors alleged by Mexinox. *See* Letter from petitioners to the Department of Commerce, regarding "Response to Mexinox's Ministerial Error Allegations," dated March 1, 2010 (Petitioners' Response Letter). For a discussion of the Department's analysis of the allegations in the Mexinox Ministerial Letter and rebuttal comments in the Petitioners' Response Letter, *see* Memorandum from Patrick Edwards and Brian Davis, Case Analysts, through Angelica Mendoza, Program Manager, to Richard Weible, Office Director, entitled, "Ministerial Errors Allegation in the Final Results of the Antidumping Duty Administrative Review of Stainless Steel Sheet and Strip in Coils from Mexico: ThyssenKrupp Mexinox S.A. de C.V.," dated March 23, 2010 (Ministerial Error Allegation Memo).

A ministerial error, as defined at section 751(h) of the Act, includes "errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which {the Department} considers ministerial." *See*

also 19 CFR 351.224(f). In its Ministerial Letter, Mexinox alleges that the Department made two ministerial errors in calculating Mexinox's importer-specific assessment rate for the final results of this administrative review. First, Mexinox alleges that the Department made a ministerial error by calculating a per-unit, rather than *ad valorem*, assessment rate. Additionally, Mexinox argues that the Department neglected to account for the entered value for material sold outside the United States in its assessment rate calculation. Petitioners contend that the Department's calculation of a per-unit assessment rate is not a clerical error and argue that the Department should not make the revision suggested by Mexinox because the admissions and statements in Mexinox's Ministerial Letter confirm that the Department's calculation of a per-unit assessment rate was not a ministerial error. Petitioner also argues that there is no basis for Mexinox's claim that the per-unit assessment is inherently unreasonable and that the Department normally calculates *ad valorem* rates where a respondent has reported an entered value for all of its sales. Petitioners did not comment on Mexinox's allegation that the Department neglected to account for the entered value for material sold outside the United States in its assessment duty rate calculation.

After analyzing Mexinox's ministerial error comments and petitioners' rebuttal comments, we have determined, in accordance with 19 CFR 351.224(e), that we made a ministerial error with respect to our final importer-specific assessment rate calculation for Mexinox USA, where the Department inadvertently neglected to account for the entered value for material sold outside the United States. See Mexinox's Ministerial Letter; see also Memorandum to the File, "Antidumping Duty Administrative Review of Stainless Steel Sheet and Strip in Coils from Mexico " Amended Final Results Analysis Memorandum for ThyssenKrupp Mexinox S.A. de C.V.," dated March 29, 2010 (2007-2008 S4 from Mexico Amended Final Results Analysis Memorandum), at pages 2 through 3, for a further discussion. Therefore, the Department has corrected both the U.S. Margin Program and the Macros Program and adjusted the assessment rate for the entered value of merchandise sold outside the United States, as originally intended by the Department.

With respect to Mexinox's allegation that the Department made a ministerial error by calculating a per-unit, rather than an *ad valorem*, assessment rate, we find that the alleged error does not meet the definition of a ministerial error in this case, pursuant to 19 CFR 351.224(f).

Rather, Mexinox's disagreement over the calculated assessment rate is methodological in nature. The Department followed its normal practice of calculating a per-unit, rather than an *ad valorem*, assessment rate as it does in cases where a respondent failed to provide the Department with complete and accurate information regarding entered values. See Memorandum to the File, "Analysis of Data Submitted by ThyssenKrupp Mexinox S.A. de C.V. for the Final Results of the Antidumping Duty Administrative Review of Stainless Steel Sheet and Strip in Coils from Mexico (A-201-822)," dated February 3, 2010 (2007-2008 S4 from Mexico Final Results Analysis Memorandum), at pages 7 through 9; see also the Department's Ministerial Error Allegation Memo at pages 2 through 8 for a further discussion. As a result, we have not changed our assessment rate calculation based on this allegation.

Therefore, in accordance with 19 CFR 351.224(e), we are amending the final results in this antidumping duty administrative review of S4 in coils from Mexico. After correcting the ministerial error with respect to entered value for material sold outside the United States, the amended final weighted-average dumping margin remains unchanged:

Manufacturer/Exporter	Final Results Weighted-Average Margin Percentage	Amended Final Weighted-Average Margin Percentage
ThyssenKrupp Mexinox S.A. de C.V. ....	4.48 percent	4.48 percent <sup>1</sup>

<sup>1</sup> We note that correcting for this ministerial error did not change Mexinox's weighted-average margin calculated in the *S4 from Mexico 2007-2008 Final Results*.

### Assessment Rates

The Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries, pursuant to section 751(a)(1) of the Act, and 19 CFR 351.212(b). Where entered values are missing for some sales and reported for others, the Department calculates a per-unit assessment rate on an importer-specific basis. The Department calculated an importer-specific per-unit duty assessment rate by aggregating the total amount of antidumping duties calculated for the examined sales and dividing this amount by the total quantity of those sales.<sup>2</sup> Where the duty

assessment rates are above *de minimis*,

a single importer-specific rate where respondents reported only one importer. See, e.g., *Stainless Steel Sheet and Strip in Coils from Japan: Final Results of Antidumping Duty Administrative Review*, 75 FR 6631 (February 10, 2010) and *Certain Frozen Warmwater Shrimp from Thailand: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 72 FR 52065 (September 12, 2007) (the Department calculated an assessment rate for each importer of subject merchandise covered by the review); *Polyethylene Retail Carrier Bags from Thailand: Final Results of Antidumping Duty Administrative Review*, 74 FR 65751 (December 11, 2009) and *Stainless Steel Wire Rods from India: Final Results of Antidumping Duty Administrative Review and Notice of Rescission of Antidumping Duty Administrative Review in Part*, 72 FR 68123 (December 4, 2007) (the Department calculated a single per unit assessment rate for a single importer). In the above mentioned cases that involved multiple importers, we have calculated an *ad valorem* assessment rate for one importer while calculating a per-unit assessment rate for another importer. However, in the instant case, Mexinox has not reported multiple importers and, therefore, the Department has calculated one importer-specific assessment rate.

we will instruct CBP to assess duties on all entries of subject merchandise by that importer in accordance with the requirements set forth in 19 CFR 351.106(c)(2).

Upon issuance of the amended final results of this review, for any importer-specific assessment rates calculated in the amended final results that are above *de minimis* (i.e., at or above 0.50 percent), we will issue appraisal instructions directly to CBP to assess antidumping duties on appropriate entries by applying the per-unit dollar amount against each unit of merchandise on each of that importer's entries during the review period. See 19 CFR 351.212(b)(1). Pursuant to 19 CFR 356.8(a), the Department intends to issue assessment instructions to CBP 41 days after the date of publication of these amended final results of review.

The Department clarified its "automatic assessment" regulation on

<sup>2</sup> We note that 19 CFR 351.212(b)(1) states that "the Secretary normally will calculate an assessment rate for each importer of subject merchandise covered by the review." It is Department practice to calculate multiple importer-specific assessment rates in cases where respondents have reported multiple importers and

May 6, 2003. *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by Mexinox for which Mexinox did not know the merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the 30.69 percent all-others rate if there is no company-specific rate for an intermediary involved in the transaction.

#### Cash Deposit Requirements

The following deposit requirements continue to be effective on any entries made on or after February 10, 2010, the date of publication of the *S4 from Mexico 2007–2008 Final Results*, for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption as provided by section 751(a)(2)(C) of the Act: (1) for Mexinox, which has a separate rate, the cash deposit rate will be the company-specific rate shown above; (2) for previously reviewed or investigated companies not listed above that have a separate rate, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) the cash deposit rate for all other Mexican exporters will be 30.69 percent, the current Mexico-wide rate; and (4) the cash deposit rate for all non-Mexican exporters will be the rate applicable to the Mexican exporter that supplied that exporter. These cash deposit requirements continue to remain in effect until further notice.

#### Notifications of Interested Parties

This notice also serves as a final 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 Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification

of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation that is subject to sanction.

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

Dated: March 29, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010–7676 Filed 4–2–10; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–475–059]

#### Pressure Sensitive Plastic Tape from Italy: Notice of Continuation of Antidumping Duty Finding

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

**SUMMARY:** As a result of the determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC) that revocation of the antidumping duty finding on pressure sensitive plastic tape (PSP Tape) from Italy would be likely to lead to continuation or recurrence of dumping and of material injury to an industry in the United States within a reasonably foreseeable time, the Department is publishing notice of the continuation of this antidumping duty finding.

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

**FOR FURTHER INFORMATION CONTACT:** Terre Keaton Stefanova or Brandon Farlander, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–1280 or (202) 482–0182, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 1, 2009, the Department initiated and the ITC instituted a sunset review of the antidumping duty finding on PSP Tape from Italy, pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). *See Initiation of Five-Year Sunset Review*, 74 FR 20286 (May 1, 2009).

The Department conducted an expedited sunset review of this finding. As a result of its review, the Department

found that revocation of the antidumping duty finding would be likely to lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margins likely to prevail were the finding to be revoked. *See Pressure Sensitive Plastic Tape from Italy: Final Results of Expedited Sunset Review*, 74 FR 40811 (August 13, 2009) (*Final Results*).<sup>1</sup>

On March 26, 2010, the ITC published its determination pursuant to section 751(c) of the Act that revocation of the antidumping duty finding on PSP Tape from Italy would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Pressure Sensitive Plastic Tape from Italy; Determination*, 75 FR 14628 (March 26, 2010).

#### Scope of the Finding

The products covered in this review are shipments of PSP Tape measuring over one and three-eighths inches in width and not exceeding four mils in thickness. The above described PSP Tape is classified under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 3919.10.20 and 3919.90.50. The HTS subheadings are provided for convenience and for customs purposes. The written description remains dispositive.

#### Continuation of the Finding

As a result of the determinations by the Department and the ITC that revocation of the antidumping duty finding would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty finding on PSP Tape from Italy.

U.S. Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of continuation of this finding will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of this finding not later than March 2015.

This five-year (sunset) review and this notice are in accordance with

<sup>1</sup> On October 26, 2009, the Department placed on the record a memorandum regarding corrections to the scope language contained in the *Final Results*. (*See* October 26, 2009, Memorandum to The File regarding “Corrections to Scope Language”).