

Magnets From the People's Republic of China: Countervailing Duty Order, 73 FR 53849 (September 17, 2008). On March 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 a timely request for a new shipper review from Jingzhou Meihou. On April 22, 2010, the Department found that the request for review with respect to Jingzhou Meihou met all of the regulatory requirements set forth in 19 CFR 351.214(b) and initiated a CVD new shipper review. See *Raw Flexible Magnets from the People's Republic of China: Initiation of Countervailing Duty New Shipper Review*, 75 FR 22741 (April 30, 2010).¹

On May 5, 2010, we issued a CVD questionnaire to Jingzhou Meihou and received the company's response on June 21, 2010.² On June 28, 2010, Magnum Magnetics Corporation, the petitioner, submitted to the Department comments on Jingzhou Meihou's questionnaire response.³ In its submission, petitioner argued that Jingzhou Meihou is not eligible for a new shipper review on the basis that there is a familial affiliation between it and Dongguan Maghard Flexible Magnet Co., Ltd. (Dongguan Maghard), a company that exported subject merchandise to the United States during the CVD POI, which was January 1, 2006, through December 31, 2006.

On July 30, 2010, we issued a memorandum detailing our analysis of the affiliation issue. See Memorandum to Edward C. Yang, Acting Deputy Assistant Secretary, for Antidumping and Countervailing Duty Operations, from Melissa G. Skinner, Director, Operations, Office 3, regarding "Jingzhou Meihou's Eligibility for a New Shipper," (July 30, 2010) (Affiliation Memorandum). We found that Jingzhou Meihou and Dongguan Maghard are affiliated companies on the basis of a familial connection. We also found that Dongguan Maghard was an exporter of subject merchandise to the United States during the CVD POI. We, therefore, determined that Jingzhou Meihou is not eligible for a CVD new

shipper review. We provided interested parties the opportunity to submit comments on the Affiliation Memorandum. On August 6, 2010, Jingzhou Meihou submitted a letter to the Department expressing disagreement with the Department's decision regarding affiliation.⁴ Jingzhou Meihou, however, stated that it would respect the Department's decision that the CVD new shipper review be rescinded.⁵ Petitioner did not submit any comments on the Affiliation Memorandum to the Department. As such, we are rescinding the CVD new shipper review with respect to Jingzhou Meihou and are not calculating a company-specific rate for the company.

Notification Regarding Administrative Protective Order

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or 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 which is subject to sanction.

This notice is published in accordance with section 777(i) of the Act and 19 CFR 351.214(f)(3).

Dated: August 23, 2010.

Edward C. Yang,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XY02

Taking and Importing of Marine Mammals

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

ACTION: Notice; affirmative finding.

SUMMARY: The Assistant Administrator for Fisheries, NMFS, (Assistant

Administrator) has granted a request for an affirmative finding to the Government of Spain under the Marine Mammal Protection Act (MMPA). This affirmative finding will allow yellowfin tuna harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the International Dolphin Conservation Program (IDCP) by Spanish flag purse seine vessels or purse seine vessels operating under Spanish jurisdiction to be imported into the United States. The affirmative finding was based on review of documentary evidence submitted by the Government of Spain and obtained from the Inter-American Tropical Tuna Commission (IATTC) and the U.S. Department of State.

DATES: The affirmative finding is effective from April 1, 2010, through March 31, 2015, subject to annual review by NMFS.

FOR FURTHER INFORMATION CONTACT: Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213; 562-980-4000; (fax) 562-980-4018.

SUPPLEMENTARY INFORMATION: The MMPA, 16 U.S.C. 1361 *et seq.*, allows the entry into the United States of yellowfin tuna harvested by purse seine vessels in the ETP under certain conditions. If requested by the harvesting nation, the Assistant Administrator will determine whether to make an affirmative finding based upon documentary evidence provided by the government of the harvesting nation, the IATTC, or the Department of State.

The affirmative finding process requires that the harvesting nation is meeting its obligations under the IDCP and obligations of membership in the IATTC. Every 5 years, the government of the harvesting nation must request an affirmative finding and submit the required documentary evidence directly to the Assistant Administrator. On an annual basis, NMFS will review the affirmative finding and determine whether the harvesting nation continues to meet the requirements. A nation may provide information related to compliance with IDCP and IATTC measures directly to NMFS on an annual basis or may authorize the IATTC to release the information to NMFS to annually renew an affirmative finding determination without an application from the harvesting nation.

An affirmative finding will be terminated, in consultation with the Secretary of State, if the Assistant Administrator determines that the requirements of 50 CFR 216.24(f) are no longer being met or that a nation is

¹ The Department also initiated an antidumping duty new shipper review with respect to *Jingzhou Meihou*. See *Raw Flexible Magnets from the People's Republic of China: Initiation of Countervailing Duty New Shipper Review*, 75 FR 22740 (April 30, 2010).

² See Department's Questionnaire addressed to Frost Brown Todd, counsel to Jingzhou Meihou, regarding "New Shipper Review: Raw Flexible Magnets from the People's Republic of China (May 5, 2010) and Jingzhou Meihou's Response to CVD Questionnaire (June 21, 2010).

³ See Petitioner's "Rebuttal to Jingzhou Meihou Comments" submission (June 28, 2010).

⁴ See Letter from Frost Brown Todd regarding "Jingzhou Meihou's Eligibility for a New Shipper Review" (August 6, 2010).

⁵ *Id.*

consistently failing to take enforcement actions on violations, thereby diminishing the effectiveness of the IDCP.

As a part of the affirmative finding process set forth in 50 CFR 216.24(f), the Assistant Administrator considered documentary evidence submitted by the Government of Spain and obtained from the IATTC and the Department of State and has determined that Spain has met the MMPA's requirements to receive an affirmative finding.

After consultation with the Department of State, the Assistant Administrator issued an affirmative finding to Spain, allowing the continued importation into the United States of yellowfin tuna and products derived from yellowfin tuna harvested in the ETP by Spanish-flag purse seine vessels or purse seine vessels operating under Spanish jurisdiction. Spain's affirmative finding will remain valid through March 31, 2015, subject to subsequent annual reviews by NMFS.

Dated: August 20, 2010.

Samuel D. Rauch III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2010-21409 Filed 8-26-10; 8:45 am]

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Addition

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to the Procurement List.

SUMMARY: This action adds a service to the Procurement List that will be provided by a nonprofit agency employing persons who are blind or have other severe disabilities.

DATES: *Effective Date:* 9/23/2010.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington Virginia, 22202-3259.

FOR FURTHER INFORMATION CONTACT: Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION:

Addition

On 7/9/2010 (75 FR 39497-39499), the Committee for Purchase From People Who Are Blind or Severely

Disabled published a notice of proposed addition to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agency to provide a service and impact of the addition on the current or most recent contractors, the Committee has determined that the service listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide the service to the Government.

2. The action will result in authorizing small entities to provide the service to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the service proposed for addition to the Procurement List.

End of Certification

Accordingly, the following service is added to the Procurement List:

Service

Service Type/Location: Operations and Maintenance Service, Federal Aviation Administration, William J. Hughes Technical Center (Centerwide), Atlantic City International Airport, NJ.

NPA: Fedcap Rehabilitation Services, Inc., New York, NY.

Contracting Activity: Dept of Transportation, Federal Aviation Administration, Atlantic City Airport, NJ.

Barry S. Lineback,

Director, Business Operations.

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COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Addition and Deletion

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed addition to and deletion from the Procurement List.

SUMMARY: The Committee is proposing to add a service to the Procurement List that will be provided by nonprofit agency employing persons who are blind or have other severe disabilities and deletes a product previously furnished by such agency.

Comments Must Be Received on or Before: 9/27/2010.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia, 22202-3259.

FOR FURTHER INFORMATION CONTACT: *For Further Information or To Submit Comments Contact:* Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Addition

If the Committee approves the proposed addition, the entities of the Federal Government identified in this notice will be required to provide the service listed below from a nonprofit agency employing persons who are blind or have other severe disabilities.

Regulatory Flexibility Act Certification

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. If approved, the action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide a service to the government.

2. If approved, the action will result in authorizing small entities to provide a service to the government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the service proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

End of Certification

The following service is proposed for addition to Procurement List for