

process for developing or updating a strategic plan includes consultation with Congress and other interested and potentially affected parties.

The structure of the draft strategic plan has changed from that of the previous plan, and incorporates the structure of the Department's new balanced scorecard. A balanced scorecard "balances" or equally emphasizes programmatic and management objectives, and contains measures that are tracked by senior leaders to support their day-to-day management activities. During the spring of 2010, Secretary Locke engaged with a broad cross-section of the Department's senior leadership to develop a balanced scorecard to deploy and execute this Strategic Plan. The Secretary directed a balanced scorecard approach to establish and maintain focus on the Department's top priorities, to institutionalize quarterly data-driven reviews with heads of operating units to monitor and ensure attainment of these priorities, and to emphasize that Customer Service, Organizational Excellence, and Workforce Excellence are prerequisites to the short and long-term achievement of the Department's programmatic goals.

The balanced scorecard approach monitors the Department's internal management processes and focuses its operating programs on priorities. This approach recognizes that follow-up and follow-through are critical to both the short and long-term success and sustainability of high-performing programs.

The Department's balanced scorecard and Strategic Plan are structured around three programmatic themes (Economic Growth, Science and Information, and Environmental Stewardship) and three management themes (Customer Service, Organizational Excellence, and Workforce Excellence). The Economic Growth theme is further subdivided into three goals (Innovation and Entrepreneurship, Market Development and Commercialization, and Trade Promotion and Compliance).

These themes and goals are further subdivided into 27 strategic objectives, which frame all of the Department's programs and supporting activities. Each objective narrative addresses the Department's strategies to achieve the objective, key challenges, external factors, contributing programs, and program evaluations. Narratives for the 18 programmatic objectives also include performance measures (*i.e.*, GPRA measures) for tracking attainment.

The Department's Strategic Plan is implemented on an annual basis through the Annual Performance Plan

for each operating unit. Results are published in the Department's annual Performance and Accountability Report. Copies of the Department's Annual Performance Plans and Performance and Accountability Reports are posted at <http://www.osec.doc.gov/bmi/budget/>.

Dated: March 4, 2011.

**Scott Quehl,**

*Chief Financial Officer and Assistant Secretary for Administration.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 16-2011]

#### Foreign-Trade Zone 229—Charleston, WV; Application for Subzone; Cabela's Inc.; (Hunting, Fishing, Camping and Related Outdoor Merchandise) Triadelphia, WV

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the West Virginia Economic Development Authority, grantee of FTZ 229, requesting special-purpose subzone status for the warehousing and distribution facility of Cabela's Inc. (Cabela's), located in Triadelphia, West Virginia. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on March 7, 2011.

The Cabela's facility (510 employees, 60 acres) is located at One Distribution Road, Triadelphia, West Virginia. The facility is used for the storage and distribution of outdoor merchandise, clothing and footwear, including optics, electronics, hunting, archery, shooting, fishing, boating, camping, pet and related products (duty rate ranges from duty-free to 48%).

FTZ procedures could exempt Cabela's from customs duty payments on foreign products that will be re-exported (approximately 1% of shipments). On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the plant and entered for consumption. FTZ designation would further allow Cabela's to realize logistical benefits through the use of weekly customs entry procedures. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the

FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is May 10, 2011. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 25, 2011.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>.

For further information, contact Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482-0473.

Dated: March 7, 2011.

**Andrew McGilvray,**

*Executive Secretary.*

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**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 17-2011]

#### Foreign-Trade Zone 266—Dane County, WI; Application for Subzone; Cabela's Inc. (Hunting, Fishing, Camping and Related Outdoor Merchandise), Prairie du Chien, WI

An application has been submitted to the Foreign-Trade Zones Board (the Board) by Dane County, Wisconsin, grantee of FTZ 266, requesting special-purpose subzone status for the warehousing and distribution facility of Cabela's Inc. (Cabela's), located in Prairie du Chien, Wisconsin. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on March 7, 2011.

The Cabela's facility (685 employees, 56 acres) is located at 501 Cliffhaven Road, Prairie du Chien, Wisconsin. The facility is used for the storage and distribution of outdoor merchandise, clothing and footwear, including optics, electronics, hunting, archery, shooting,

fishing, boating, camping, pet and related products (duty rate ranges from duty-free to 48%).

FTZ procedures could exempt Cabela's from customs duty payments on foreign products that will be re-exported (approximately 1% of shipments). On its domestic sales, the company would be able to defer duty payments until merchandise is shipped from the plant and entered for consumption. FTZ designation would further allow Cabela's to realize logistical benefits through the use of weekly customs entry procedures. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Elizabeth Whiteman of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is May 10, 2011. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to May 25, 2011.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>.

For further information, contact Elizabeth Whiteman at [Elizabeth.Whiteman@trade.gov](mailto:Elizabeth.Whiteman@trade.gov) or (202) 482-0473.

Dated: March 7, 2011.

**Andrew McGilvray,**  
Executive Secretary.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-819]

### Magnesium Metal From the Russian Federation: Notice of Court Decision Not in Harmony With Final Results of Administrative Review and Notice of Amended Final Results of Administrative Review Pursuant to Court Decision

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

**SUMMARY:** On March 1, 2011, the United States Court of International Trade (CIT) sustained the Department of Commerce's (the Department's) results of redetermination as applied to PSC VSMPO-AVISMA Corporation (VSMPO-AVISMA) pursuant to the CIT's remand order in *PSC VSMPO-Avisma Corp. v. United States*, 724 F. Supp. 2d 1308 (CIT 2010) (*AVISMA II*). The Department is notifying the public that the final CIT judgment in this case is not in harmony with the Department's final determination and is amending the final results of the administrative review of the antidumping duty order on magnesium metal from the Russian Federation covering the period of review April 1, 2006, through March 31, 2007 with respect to VSMPO-AVISMA.

**DATES: Effective Date:** March 11, 2011.

#### FOR FURTHER INFORMATION CONTACT:

Dmitry Vladimirov or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0665 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 10, 2008, the Department published the final results of the administrative review of the antidumping duty order on magnesium metal from the Russian Federation for the period of review (POR) April 1, 2006, through March 31, 2007. See *Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative Review*, 73 FR 52642 (September 10, 2008) (*Final Results*). In the *Final Results* the Department determined that it was appropriate to treat raw magnesium and chlorine gas as co-products and employed a net-realizable-value (NRV) analysis to allocate joint costs incurred up to the split-off point where raw magnesium and chlorine gas

become separately identifiable products. The CIT remanded the *Final Results* to the Department to take into account an affidavit from Dr. George Foster, an accounting professor (the Foster Affidavit), when considering the best methodology for calculating the NRV for the chlorine gas.<sup>1</sup> See *PSC VSMPO-AVISMA Corp. v. United States*, 31 I.T.R.D. 2235 (CIT 2009) (*AVISMA I*). In accordance with the CIT's order in *AVISMA I*, the Department admitted the Foster Affidavit into the record, considered the arguments of Dr. Foster upon remand, and, as a result of that consideration, determined not to recalculate the dumping margin for VSMPO-AVISMA upon concluding that Dr. Foster's proposed methodology was not appropriate to use in this case. See *Results of Redetermination Pursuant to Remand*, dated March 30, 2010 (*First Remand*) (available at <http://ia.ita.doc.gov/remands>). As a result, in the *First Remand* the Department adhered to the same allocation methodology it used in the *Final Results*.

In *AVISMA II*, the CIT remanded the *Final Results* again, instructing the Department to consider VSMPO-AVISMA's entire production process, including titanium production, in allocating joint costs to the subject merchandise. The CIT found the Department's cost-allocation methodology in the *Final Results* to be unsupported by substantial record evidence and not in accordance with section 773(e)(1) of the Tariff Act of 1930, as amended (the Act). See *AVISMA II*, 724 F. Supp. 2d at 1313-16. In accordance with the CIT's order in *AVISMA II*, and under respectful protest, the Department reexamined its calculation methodology to take VSMPO-AVISMA's entire production process into account, including the stages of production encompassing and following ilmenite catalyzation, and, based on that examination, the Department recalculated the weighted-average dumping margin for VSMPO-AVISMA. See *Results of Redetermination Pursuant to Remand*, dated November 22, 2010 (*Second Remand*) (available at <http://ia.ita.doc.gov/remands>). As a result of the Department's recalculations, the weighted-average dumping margin for the period April 1, 2006, through March 31, 2007, for magnesium metal from the Russian Federation is 8.51 percent for VSMPO-AVISMA. The CIT sustained

<sup>1</sup> VSMPO-AVISMA submitted the Foster Affidavit as part of its administrative case brief, dated June 11, 2008, which the Department rejected as untimely new factual information.