

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-357-812]

Honey From Argentina: Extension of Time Limit for the Final Results of Antidumping Duty Administrative Review

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

DATES: *Effective Date:* May 15, 2012.

FOR FURTHER INFORMATION CONTACT: John Drury or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Room 7850, Washington, DC 20230; telephone: (202) 482-0195, or (202) 482-3019, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On January 10, 2012, the Department published the preliminary results of administrative review for the 2009–2010 period of review (POR) of honey from Argentina. See *Honey From Argentina: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review*, 77 FR 1458 (January 10, 2012) (*Preliminary Results*). The administrative review covers nine producers/exporters of honey from Argentina during the POR.¹

Extension of Time Limit for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time period to a maximum of 180 days after the date on which the preliminary results are published.

The Department has determined it is not practicable to complete this review within the current time limit and requires additional time regarding the issue of which rate to assign to the non-selected companies subject to this review. Accordingly, the Department is extending the time limit for completion of the final results of this administrative review by 30 days (*i.e.*, to June 8, 2012).

¹ See Preliminary Results for a detailed history of the companies covered by this administrative review.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 4, 2012.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2012-11771 Filed 5-14-12; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570-832]

Pure Magnesium From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results

SUMMARY: On April 25, 2012, the United States Court of International Trade ("CIT") sustained the Department of Commerce's ("the Department") final results of redetermination pursuant to voluntary remand of the 2006–2007 antidumping duty administrative review of pure magnesium from the People's Republic of China ("Voluntary Remand Redetermination").¹ Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (CAFC 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results and is amending the final results of the administrative review of pure magnesium from the People's Republic of China ("PRC") with respect to the margin assigned to Tianjin Magnesium International Co., Ltd. ("TMI") covering the period of review ("POR") May 1, 2006, through April 30, 2007.²

DATES: *Effective Date:* May 5, 2012.

FOR FURTHER INFORMATION CONTACT:

Laurel LaCivita, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4243.

¹ See Final Results of Redetermination Pursuant to Voluntary Remand issued by the Department of Commerce, Court No. 09-00012, dated October 28, 2011, available at: <http://www.ia.ita.doc.gov/remands/index.html>.

² See *Pure Magnesium from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 73 FR 76336 (December 16, 2008) and accompanying Issues and Decision Memorandum ("*Final Results*").

SUPPLEMENTARY INFORMATION: In the *Final Results*, the Department granted TMI's request for two by-product offsets, and calculated a dumping margin for TMI of 0.63 percent. TMI and US Magnesium LLC ("Petitioner") initially challenged the final results with respect to several issues, and the court remanded two issues to the Department.³ During litigation proceedings for the 2006–2007 review, verification of TMI and its suppliers took place in the PRC for the 2007–2008 review. At verification, TMI's producer revealed that there were no by-product sales prior to April 2007, *i.e.* during the previous POR. During the first remand proceedings, Petitioner placed the 2007–2008 review verification report on the record of this litigation. The Department initially determined not to consider the evidence because it was from a subsequent review and did not exist when the Department made its determination in the 2006–2007 final results.

Shortly thereafter, the CAFC issued its decision in *Home Prods. Int'l, Inc. v. United States*,⁴ holding that a court abuses its discretion when it declines to remand to an agency when evidence sufficient to make a *prima facie* case that the agency proceedings under review were tainted by material fraud is presented. Based on the standard set forth in *Home Products*, the Department requested a voluntary remand to determine whether to reopen the administrative record and consider the 2007–2008 verification report. On remand, the Department determined there was clear and convincing evidence sufficient to make a *prima facie* case that the 2006–2007 administrative review was tainted by fraud and reopened the record. The Department also determined, based on this evidence, that application of total adverse facts available to TMI was warranted because TMI had continued to seek by-product offsets even though record evidence clearly established that no by-product sales existed during the POR. The Department assigned to TMI a rate of 111.73, the calculated rate for the other mandatory respondent in the 2006–2007 review. The Department's final results of redetermination therefore changed TMI's margin from 0.63 percent to

³ In the first remand order, the Department was instructed to: (1) Further explain the valuation of TMI's by-product offsets; and (2) further explain the Department's determination to use the surrogate financial ratios for overhead, selling, general and administrative expenses ("SG&A") and profit of Madras Aluminum Co. Ltd. in the normal value calculation. See *Tianjin Magnesium Int'l Co. v. United States*, 722 F. Supp. 2d 1322 (CIT 2010).

⁴ See *Home Prods. Int'l, Inc. v. United States*, 633 F.3d 1369 (CAFC 2011) ("*Home Products*").

111.73 percent. On April 25, 2012, the CIT sustained the Department's *Voluntary Remand Redetermination*.⁵

Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC has held that, pursuant to section 516A(e) of the Act, the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's April 25, 2012 judgment sustaining the Department's voluntary remand results with respect to TMI constitutes a final decision of that court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal, or if appealed, pending a final and conclusive court decision. The cash deposit rate will remain the company-specific rate established for the subsequent and most recent period during which the respondent was reviewed.⁶

Amended Final Determination and Order

Because there is now a final court decision, we are amending the *Final Results* with respect to TMI's margin for the period May 1, 2006 through April 30, 2007. The revised weighted-average dumping margin is as follows:⁷

Exporter	Percent margin
Tianjin Magnesium International Co., Ltd	111.73

In the event the CIT's ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries of the subject merchandise exported by TMI

⁵ *Tianjin Magnesium Int'l, Co. v. United States*, Ct. No. 09-00012, Slip Op. 12-54 (CIT April 25, 2012).

⁶ See *Pure Magnesium From the People's Republic of China: Final Results of the 2009-2010 Antidumping Duty Administrative Review of the Antidumping Duty Order*, 76 FR 76945 (December 9, 2011).

⁷ The rate for the other mandatory respondent in the instant administrative review, Shangxi Datuhu Coke & Chemicals Co., Ltd. ("Datuhe"), remains unchanged. In its first remand order, the Court resolved a ministerial error allegation, holding that there was no ministerial error because the Department's acts were intentional. See *Tianjin Magnesium Int'l, Co. v. United States*, Ct. No. 09-00012, Slip Op. 10-87 (CIT August 9, 2010).

during the POR using the revised assessment rate calculated by the Department in the *Voluntary Remand Redetermination*.

This notice is issued and published in accordance with sections 516A(e)(1), 751(a)(1), and 777(i)(1) of the Act.

Dated: May 9, 2012.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2012-11734 Filed 5-14-12; 8:45 am]

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BUREAU OF CONSUMER FINANCIAL PROTECTION

Submission for OMB Review; Comment Request

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice and request for comment.

SUMMARY: The Bureau of Consumer Financial Protection ("Bureau"), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3507(a)(1)(D)). The Bureau is soliciting comments regarding the information collection requirements relating to the Generic Clearance for Collection of Information on Compliance Costs and Other Effects of Regulations that has been submitted to the Office of Management and Budget for review and approval. A copy of the submission, including copies of the proposed collection and supporting documentation, may be obtained by contacting the agency contact listed below.

DATES: Written comments are encouraged and must be received on or before June 19, 2012 to be assured of consideration.

ADDRESSES: You may submit comments to:

- *Agency contact:* Consumer Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552; *CFPB Public PRA@cfpb.gov.*
- *OMB Reviewer:* Shagufta Ahmed, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; (202) 395-7873.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to the Consumer

Financial Protection Bureau (Attention: PRA Office), 1700 G Street NW., Washington, DC 20552, or through the internet at *CFPB_PRA_Public@cfpb.gov.*

SUPPLEMENTARY INFORMATION:

OMB Number: 3170-XXXX.

Type of Review: Generic Clearance Request.

Title: Generic Clearance for Collection of Information on Compliance Costs and Other Effects of Regulations.

Abstract: Under the Dodd-Frank Wall Street Reform and Consumer Protection Act ("the Dodd-Frank Act"), the Bureau has the responsibility for rulemaking, supervision, and enforcement with respect to various Federal consumer financial protection laws. Among other things, the Dodd-Frank Act directs the Bureau to promulgate rules regulating various aspects of the mortgage and remittance markets.¹ For many of these directives there is a corresponding statutory deadline for a proposed or final rule. In such cases, if a final rule is not issued by a certain date, the statute will take effect automatically, as outlined in more detail below.

A number of Federal laws require agencies to consider the benefits, costs, and impacts of rulemaking actions, including the Regulatory Flexibility Act and the Paperwork Reduction Act. Furthermore, Section 1022(b)(2)(A) of the Dodd-Frank Act calls for the Bureau to consider the potential benefits and costs of certain rules to consumers and "covered persons," including depository and non-depository providers of consumer financial products and services ("providers.") This consideration includes an assessment of the impacts of rules on consumers in rural areas and on depository institutions and credit unions with total assets of \$10 billion or less as described in section 1026 of the Dodd-Frank Act. As part of its analysis of benefits and costs of certain rulemakings, the Bureau will consider, among other things, the potential ongoing costs for a provider as well as the implementation costs the provider may incur in order to comply with a regulation.

The Federal consumer financial laws for which the Bureau has been granted rulemaking authority that regulate aspects of the mortgage and remittance markets include: Alternative Mortgage Transaction Parity Act; the Consumer Leasing Act; the Equal Credit Opportunity Act; the Fair Credit Billing Act; the Fair Credit Reporting Act; the Fair Debt Collection Practices Act; the Federal Deposit Insurance Act; the

¹ The Bureau has other rulemaking mandates that are not discussed in this document.