Revised Factual Information Requirements

On April 10, 2013, the Department published *Definition of Factual Information and Time Limits for Submission of Factual Information: Final Rule,* 78 FR 21246 (April 10, 2013), which modified two regulations related to antidumping and countervailing duty proceedings: The definition of factual information (19 CFR 351.102(b)(21)), and the time limits for the submission of factual information (19 CFR 351.301). The final rule identifies five categories of factual information in 19 CFR 351.102(b)(21), which are summarized as follows: (i) Evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) other data or statements of facts; (iv) evidence placed on the record by the Department; and (v) evidence other than factual information described in (i)–(iv). The final rule requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct. The final rule also modified 19 CFR 351.301 so that, rather than providing general time limits, there are specific time limits based on the type of factual information being submitted. These modifications are effective for all segments initiated on or after May 10, 2013. Please review the final rule, available at *http://enforcement.trade.gov/frn/2013/1304frn/2013-08227.txt,* prior to submitting factual information in these segments.

Any party submitting factual information in an antidumping duty proceeding must certify to the accuracy and completeness of that information.[11] Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives. All segments of any antidumping duty proceedings initiated on or after August 16, 2013, should use the formats for the revised certifications provided at the end of the *Final Rule.*[12] The Department intends to reject factual submissions in these administrative reviews if the submitting party does not comply with applicable revised certification requirements.

Revised Extension of Time Limits Regulation

On September 20, 2013, the Department modified its regulation concerning the extension of time limits for submissions in antidumping duty proceedings.[13] The modification clarifies that parties may request an extension of time limits before a time limit established under Part 351 expires, or as otherwise specified by the Secretary. In general, an extension request will be considered untimely if it is filed after the time limit established under Part 351 expires. For submissions which are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10:00 a.m. on the due date. Examples include, but are not limited to: (1) Case and rebuttal briefs, filed pursuant to 19 CFR 351.309; (2) rebuttal, clarification and correction filed pursuant to 19 CFR 351.301(c)(3)(iv); (3) comments concerning U.S. Customs and Border Protection data; and (4) quantity and value questionnaires. Under certain circumstances, the Department may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, the Department will inform parties in the letter or memorandum setting forth the deadline (including a specified time) by which extension requests must be filed to be considered timely. This modification also requires that an extension request must be made in a separate, stand-alone submission, and clarifies the circumstances under which the Department will grant untimely-filed requests for the extension of time limits. These modifications are effective for all segments initiated on or after October 21, 2013. Please review the final rule, available at *http://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm,* prior to submitting factual information in these administrative reviews.

These initiations and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: March 28, 2014.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2014–07404 Filed 4–1–14; 8:45 am]

BILLING CODE 3510–DS–P

Revocation of Order (in Part) 2011–2012, 78 FR 42497, 42499 (July 16, 2013). Accordingly, we are initiating this administrative review with respect to Marine Gold only for shrimp produced in Thailand where Marine Gold acted as either the manufacturer or exporter (but not both).

[11] *See* section 782(b) of the Act.

[12] *See Certification of Factual Information To Import Administration During Antidumping and Countervailing Duty Proceedings,* 78 FR 42678 (July 17, 2013) (*Final Rule*); *see also* the frequently asked questions regarding the *Final Rule,* available at *http://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf.*

[13] *See Extension of Time Limits: Final Rule,* 78 FR 57790 (September 20, 2013).

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD204

Reestablishment of the Marine Fisheries Advisory Committee

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

ACTION: Notice of advisory committee reestablishment.

SUMMARY: Notice is hereby given that the Secretary of Commerce has determined that the reestablishment of the Marine Fisheries Advisory Committee is necessary and in the public interest. Accordingly, the National Marine Fisheries Service has chartered the Marine Fisheries Advisory Committee (MAFAC). The charter for the MAFAC expired on January 18, 2014 while its renewal was in process.

FOR FURTHER INFORMATION CONTACT: Mark Holliday, MAFAC Executive Director; (301) 427–8004; email: *Mark.Holliday@noaa.gov.*

SUPPLEMENTARY INFORMATION: MAFAC will advise NOAA and Commerce on short- and long-range strategies for rebuilding and managing the sustained use of living marine resources and recovering and protecting endangered and protected marine species to meet the needs of commercial and recreational fisheries, and environmental, State, consumer, academic, tribal, and other national interests. MAFAC members will help identify common ground on controversial matters of policy and science. The Committee's expertise and diversity are not found in any Commerce component, or in any other Federal Advisory Committee.

The MAFAC will function solely as an advisory body and in compliance with provisions of the Federal Advisory Committee Act. Copies of the charter will be filed with the appropriate Committees of the Congress and with the Library of Congress.

Dated: March 28, 2014

Paul Doremus,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

[FR Doc. 2014–07377 Filed 4–1–14; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 0810061318–4050–02]

RIN 0648 –XL10

Endangered and Threatened Wildlife and Plants; Endangered Species Act Listing Determination for Southeast Alaska Pacific Herring

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

ACTION: Notice of a listing determination; availability of status review report.

SUMMARY: We, NMFS, have completed a comprehensive status review of the Southeast Alaska Distinct Population Segment (DPS) of Pacific herring (*Clupea pallasii*) under the Endangered Species Act (ESA). Based upon the best scientific and commercial data available, we conclude that listing the Southeast Alaska DPS of Pacific herring is not warranted at this time. We also announce the availability of the status review report.

DATES: This finding is made as of April 2, 2014.

ADDRESSES: The Status Review of Southeast Alaska Pacific Herring, Extinction Risk Analysis report, as well as this listing determination, can be obtained via the internet at *http://alaskafisheries.noaa.gov/* or from Kate Savage, NMFS Alaska Region, Protected Resources Division, P.O. Box 21668, Juneau, AK 99802–1668.

FOR FURTHER INFORMATION CONTACT: Kate Savage, NMFS Alaska Region, (907) 586–7312; Jon Kurland, NMFS Alaska Region, (907) 586–7638; or Dwayne Meadows, NMFS Office of Protected Resources, (301) 427–8403.

SUPPLEMENTARY INFORMATION:

Background

On April 2, 2007, we received a petition from the Juneau Group of the Sierra Club to list the Lynn Canal stock of Pacific herring as a threatened or endangered species under the ESA and to designate critical habitat. We determined that the petition presented substantial information indicating that the petitioned action may be warranted and published a 90-day finding (72 FR51619; September 10, 2007) that initiated a status review. We convened a Biological Review Team (BRT) composed of Federal scientists with expertise in Pacific herring biology and ecology to conduct the status review. The BRT reviewed existing research and information, including both published and unpublished literature and data on herring stocks throughout the eastern North Pacific. Based on information contained in the status review report produced by the BRT, we published a finding (73 FR 19824; April 11, 2008) that listing the Lynn Canal Pacific herring as threatened or endangered under the ESA was not warranted because the population does not constitute a listable entity (species, subspecies, or DPS) under the ESA. We concluded that the Lynn Canal Pacific herring stock is part of a larger Southeast Alaska DPS, extending from Dixon Entrance in the south, where the Southeast Alaska stock is genetically distinguished from the British Columbia stock, to Cape Fairweather and Icy Point in the north, where the stock is limited by physical and ecological barriers. We further concluded that the DPS to which Lynn Canal Pacific herring belong should be considered a candidate species under the ESA. Consequently, we initiated a status review of the Southeast Alaska DPS and published a request for information, data, and comments pertinent to a risk assessment (73 FR 66031; November 6, 2008).

Listing Determinations Under the ESA

Two key tasks are associated with conducting an ESA status review. The first is to identify the taxonomic group under consideration, and the second is to conduct an extinction risk assessment to determine whether the species, subspecies, or DPS is threatened or endangered.

Section 3 of the ESA defines a ''species'' as ''any subspecies of fish or wildlife or plants, and any distinct population segment of any species of vertebrate fish or wildlife which interbreeds when mature.'' Section 3 of the ESA further defines an endangered species as ''any species which is in danger of extinction throughout all or a significant portion of its range'' and a threatened species as one ''which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.'' Thus, we interpret an ''endangered species'' to be one that is presently in danger of extinction. A ''threatened species,'' on the other hand, is not presently in danger of extinction, but is likely to become so in the foreseeable future (that is, at a later time). In other words, the primary statutory difference between a threatened and endangered species is the timing of when a species may be in danger of extinction, either presently (endangered) or in the foreseeable future (threatened). The determination of whether a species should be listed as endangered or threatened must be based solely on the best scientific and commercial data available.

NMFS and the U.S. Fish and Wildlife Service (USFWS) have a joint policy on recognizing distinct vertebrate population segments to outline the principles for identifying and managing a DPS under the ESA (61 FR 47222; February 7, 1996). Under the DPS policy, both the discreteness and significance of a population segment in relation to the remainder of the species to which it belongs must be evaluated. A population segment of a vertebrate species may be considered discrete if it satisfies any one of the following conditions:

(1) It is markedly separated from other populations of the same taxon as a consequence of physical, physiological, ecological, or behavioral factors. Quantitative measures of genetic or morphological discontinuity may provide evidence of this separation.

(2) It is delimited by international governmental boundaries within which differences in control of exploitation, management of habitat, conservation status, or regulatory mechanisms exist that are significant in light of section 4(a)(1)(D) of the Act.

If a population segment is discrete, we will evaluate its biological and ecological significance in light of Congressional guidance (see Senate Report 151, 96th Congress, 1st Session) that the authority to list DPSs be used ''sparingly'' while encouraging the conservation of genetic diversity. The significance consideration may include, but is not limited to, the following:

(1) Persistence of the discrete population segment in an ecological setting unusual or unique for the taxon,

(2) Evidence that loss of the discrete population segment would result in a significant gap in the range of a taxon,

(3) Evidence that the discrete population segment represents the only surviving natural occurrence of a taxon that may be more abundant elsewhere as an introduced population outside its historic range, or

(4) Evidence that the discrete population segment differs markedly from other populations of the species in its genetic characteristics.