

2011) (“*Jiaxing Brother II*”). 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 (Fed. Cir. 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 Determination* and is amending its *Final Determination* and *Antidumping Duty Order*.

**DATES:** *Effective Date:* May 2, 2011.

**FOR FURTHER INFORMATION CONTACT:** Toni Dach, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482–1655.

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 27, 2009, the Department published the *Final Determination* of the investigation of steel threaded rod from the PRC. See *Final Determination*. In calculating surrogate financial ratios, pursuant to section 773(c) of the Tariff Act of 1930, as amended (the “Act”), the Department used financial statements for three Indian companies found by the Department to be producers of merchandise comparable to steel threaded rod. The Department determined not to use Rajratan’s financial statement as part of that calculation upon concluding that Rajratan produced wire rod, a material input in the production of subject merchandise, which the Department found not to be comparable to finished steel products such as steel threaded rod. See *Final Determination* and accompanying Issues and Decision Memorandum at Comment 1.

After the Department published the *Antidumping Duty Order*, the RMB/IFI Group and its producer, Jiaxing Brother Fastener Co., Ltd. (collectively, “the RMB/IFI Group”), filed a timely action with the CIT challenging the Department’s selection of financial statements in calculating surrogate financial ratios.

On November 16, 2010, the CIT issued its decision sustaining the Department’s *Final Determination* except for the determination to reject the financial statement of Rajratan as part of its calculation of surrogate financial ratios. The CIT found that record evidence did not support the Department’s conclusion that Rajratan manufactured wire rod, which is used

as an input in the production of steel threaded rod. See *Jiaxing Brother* at 27–28. The CIT thus remanded the issue to the Department with instructions to reconsider the appropriateness of using Rajratan’s financial statement in the calculation of surrogate financial ratios by analyzing the comparability of Rajratan’s merchandise to the subject merchandise. *Id.* at 30.

On December 16, 2010, the Department issued its final results of redetermination pursuant to *Jiaxing Brother*. Pursuant to the CIT’s remand order in *Jiaxing Brother*, we reexamined the Rajratan financial statements and found that Rajratan purchases wire rod, in addition to other raw materials, and produces downstream products from that wire rod input, namely p.c. wire and tyre bead wire. Thus, we determined on remand that Rajratan further manufactures wire rod into finished (or semi-finished) steel products in a manner similar to steel threaded rod and found that Rajratan is a producer of steel products comparable to the subject merchandise. As a consequence, because Rajratan is a producer of comparable steel products, we find that its production experience, and therefore financial experience, is comparable to that of steel threaded rod producers, and included its financial ratios in the average calculation of surrogate financial ratios.

The CIT sustained the Department’s remand redetermination on April 21, 2011. See *Jiaxing Brother II*.

**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 21, 2011, judgment sustaining the Department’s remand redetermination that Rajratan is a producer of steel products comparable to the subject merchandise constitutes a final decision of that court that is not in harmony with the Department’s *Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will suspend liquidation of the subject merchandise effective May 2, 2011, pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision or pending establishment of a new cash deposit rate in a completed administrative review of the *Antidumping Duty Order*.

**Amended Final Determination and Order**

Because there is now a final court decision with respect to the inclusion of Rajratan in the average calculation of surrogate financial ratios, RMB/IFI Group’s revised cash deposit rate is 47.37%. In accordance with sections 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection to collect cash deposits at the rate indicated.

This notice is issued and published in accordance with sections 516A(c)(1), 735(d), 736(a), and 777(i)(1) of the Act.

Dated: May 4, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**National Institute of Standards and Technology**

**Proposed Information Collection; Comment Request; the NIST Summer Institute for Middle School Science Teachers (NIST Summer Institute) and the NIST Research Experience for Teachers (NIST RET) Application Requirements**

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, 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.

**DATES:** Written comments must be submitted on or July 11, 2011.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Barbara Lambis, 301–975–4447, [barbara.lambis@nist.gov](mailto:barbara.lambis@nist.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Abstract

The NIST Summer Institute and the NIST RET are competitive financial assistance (cooperative agreement) programs designed to support middle school science teachers to participate in hands-on workshops, lectures, tours, visits, or in scientific research with scientists and engineers in NIST laboratories in Gaithersburg, Maryland. The workshops provide teachers with instructional information and ideas to use in their teaching, and emphasize the measurement science done at NIST. The Program provides a world-class opportunity for those teaching our nation's next generation of scientists to learn more about the subjects they teach and the research in those subjects at NIST, and to offer a platform from which teachers can inspire their students to pursue careers in science, technology, engineering, and mathematics (STEM).

To receive funding, nominated teachers must submit applications through their U.S. public school districts or U.S. accredited private educational institutions for potential selection to participate in the NIST Summer Institute or the NIST RET. This request is for the information collection requirements associated with applying for funding. The information is used to perform the requisite reviews of the applications to determine if an award should be granted.

## II. Method of Collection

Applications may be submitted electronically via <http://www.grants.gov>.

## III. Data

OMB Control Number: 0693-0059.

Form Number: NIST-1103.

Type of Review: Regular submission.

Affected Public: Middle school

(Grades 6-8) science teachers in a U.S. public school district or U.S. accredited private educational institution.

Estimated Number of Respondents: 100.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden

Hours: 100.

Estimated Total Annual Cost to Public: \$0.

## IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c)

ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 6, 2011.

**Gwellnar Banks,**

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

[FR Doc. 2011-11482 Filed 5-10-11; 8:45 am]

**BILLING CODE 3510-13-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

**RIN 0648-XA425**

#### Endangered Species; File No. 15661

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

**ACTION:** Notice; receipt of application.

**SUMMARY:** Notice is hereby given that the Commonwealth of the Northern Mariana Islands (CNMI) Division of Fish and Wildlife, (Ignacion dela Cruz, Responsible Party), has applied in due form for a permit to take green (*Chelonia mydas*) and hawksbill (*Eretmochelys imbricata*) sea turtles for purposes of scientific research.

**DATES:** Written, telefaxed, or e-mail comments must be received on or before June 10, 2011.

**ADDRESSES:** The application and related documents are available for review by selecting "Records Open for Public Comment" from the *Features* box on the Applications and Permits for Protected Species (APPS) home page, <https://apps.nmfs.noaa.gov>, and then selecting File No. 15661 from the list of available applications.

These documents are also available upon written request or by appointment in the following offices:

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 713-0376; and Pacific Islands Region, NMFS, 1601 Kapiolani Blvd., Rm 1110, Honolulu, HI 96814-4700; phone (808) 944-2200; fax (808) 973-2941.

Written comments on this application should be submitted to the Chief, Permits, Conservation and Education Division

- By e-mail to [NMFS.Pr1Comments@noaa.gov](mailto:NMFS.Pr1Comments@noaa.gov) (include the File No. in the subject line of the e-mail),
- by facsimile to (301) 713-0376, or
- at the address listed above.

Those individuals requesting a public hearing should submit a written request to the Chief, Permits, Conservation and Education Division at the address listed above. The request should set forth the specific reasons why a hearing on this application would be appropriate.

#### FOR FURTHER INFORMATION CONTACT:

Amy Hapeman or Colette Cairns, (301) 713-2289.

#### SUPPLEMENTARY INFORMATION:

The subject permit is requested under the authority of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222-226).

The CNMI Division of Fish and Wildlife proposes to conduct research on sea turtles to characterize population structure, size class composition, foraging ecology, and migration patterns for green and hawksbill sea turtles in the Northern Mariana Islands with an eye toward identifying potential conservation or critical habitat areas for immature and adult green and hawksbill turtles. The project would consist of counts and hand captures of sea turtles during vessel surveys. Up to 300 green and 50 hawksbill sea turtles would be captured, measured, weighed, flipper tagged, passive integrated transponder tagged, temporarily marked, tissue sampled, photographed, and released annually. A subset of the turtles would be satellite tagged before release and then tracked from the vessel. A small number of sea turtle carcasses, tissues or parts would also be opportunistically salvaged each year. The permit would be valid for five years.

Dated: May 5, 2011.

**Tammy C. Adams,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

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