

This practice in NME proceedings will be consistent with the application of the same liquidation practice in market economy ("ME") proceedings. The goal of this practice in ME proceedings, the accurate assignment of duties based on information obtained in a review, is not unique to ME proceedings but is necessary in all antidumping proceedings. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). Interested parties have the right to request an administrative review of their entries, or to participate in an administrative review, to ensure that the entries are liquidated at the rate the interested party believes is proper. See 19 CFR 351.103, *et seq.*

### Applicability

The Department intends to apply the policy to all non-reviewed entries from exporters which are selected for individual examination, whether or not the Department is aware of the involvement of a third party. Additionally, if the Department determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the NME-wide rate. See *Magnesium Metal from the Russian Federation: Final Results of Antidumping Duty Administrative review*, 75 FR 56989 (September 17, 2010). This refinement will not apply to entries suspended at the cash deposit rate for exporters for which a review is not initiated. Nor does this refinement apply to entries suspended at the rate of exporters under review but which are not selected for individual examination (*i.e.*, the separate rate companies), except where the Department has determined that the exporter had no shipments covered by the review.

### Definition of Exporter

In response to the *Proposed Policy*, certain parties argued that the Department should clarify the term "exporter" for this refinement in practice to provide notice to the importers regarding which entity the importer should consider to be the exporter in a multi-leg transaction for the purpose of claiming the correct cash deposit rate and having the entry liquidated in accordance with that expectation. Because of the variances in commercial practice, it is the Department's established practice to evaluate an export transaction on a case-by-case basis within the context of an administrative review or investigation.

Within the framework of an administrative review, the Department is able to examine additional documentation to decide which entity was the exporter for purposes of making NME AD determinations.

Because the importer is the party most likely to have the best information and appropriate documentation regarding the transactions relevant to the entries, the Department considers it to be the importer's responsibility to ensure that the documentation of the sales transaction supports the cash deposit rate the importer claims for its entries. In order to facilitate the proper identification of the exporter, the Department will coordinate with CBP to provide guidance to importers. Likewise, as explained above, any interested party can file a notice of appearance with the Department to ensure that its entries are liquidated in accordance with its expectations.

### Implementation

As stated in the *Proposed Policy*, the Department intends to apply this policy to all entries for which the anniversary month for requesting an administrative review is the month after the date of publication of this final notice. See *Proposed Policy*. This implementation is consistent with our ME Reseller Practice and with the Federal Circuit's opinion in *Parkdale Int'l v. United States*, 475 F.3d 1375, 1378–79 (CAFC 2007) ("the primary effect of the policy is prospective, *i.e.*, it applies to liquidations post-dating its adoption, [accordingly] we conclude that its effect cannot properly be considered impermissibly retroactive"). Therefore, this policy refinement will apply to all relevant entries, regardless of when entered, for which the anniversary month for requesting a review of the order is November, 2011 or later.

Dated: October 17, 2011.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2011–27459 Filed 10–21–11; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–928]

### Uncovered Innerspring Units From the People's Republic of China: Extension of Final Results of Antidumping Duty New Shipper Review

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

**SUMMARY:** The Department of Commerce ("Department") is extending the time limit for the final results of the first new shipper review of uncovered innerspring units ("innersprings") from the People's Republic of China ("PRC"). The review covers the period of review ("POR") of February 1, 2010, through July 31, 2010.

**DATES:** *Effective Date:* October 24, 2011.

**FOR FURTHER INFORMATION CONTACT:** Paul Walker, 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) 482–0413.

### Background

On August 4, 2011, the Department published in the **Federal Register** the Preliminary Results of the new shipper review of innersprings from the PRC.<sup>1</sup> The respondent in this new shipper review is Foshan Nanhai Jiujiang Quan Li Spring Hardware Factory ("Quan Li"). The final results are currently due no later than October 24, 2011.

### Statutory Time Limits

Section 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended (the "Act"), and section 351.214(i)(1) of the Department's regulations, require the Department to issue the final results in a new shipper review 90 days after the date on which the preliminary results are issued. The Department may, however, extend the deadline for completion of the final results of a new shipper review to 150 days if it determines that the case is extraordinarily complicated.<sup>2</sup>

### Extension of Time Limit for Final Results of Review

We determine that this case is extraordinarily complicated because the Department requires additional time to analyze interested parties' case and rebuttal briefs concerning the *bona fide* nature of the sale under review. Therefore, in accordance with section 751(a)(2)(B)(iv) of the Act, and section 351.214(i)(2) of the Department's regulations, we are extending the time for the completion of the final results of this review until November 22, 2011.

We are issuing and publishing this notice in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

<sup>1</sup> See *Uncovered Innerspring Units From the People's Republic of China: Preliminary Intent To Rescind New Shipper Review*, 76 FR 47151 (August 4, 2011) ("Preliminary Results").

<sup>2</sup> See section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2).

Dated: October 11, 2011.

**Christian Marsh,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. 2011-27449 Filed 10-21-11; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Battelle Energy Alliance, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscope**

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 3720, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

*Docket Number:* 11-056. *Applicant:* Battelle Energy Alliance, Idaho Falls, ID 83415. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 76 FR 56156, September 12, 2011.

*Docket Number:* 11-057. *Applicant:* Battelle Energy Alliance, Idaho Falls, ID 83415. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* See notice at 76 FR 56156, September 12, 2011.

*Docket Number:* 11-058. *Applicant:* University of Texas at Austin, Austin, TX 78712. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* See notice at 76 FR 56156, September 12, 2011.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: October 18, 2011.

**Gregory W. Campbell,**

*Director, Subsidies Enforcement Office, Import Administration.*

[FR Doc. 2011-27456 Filed 10-21-11; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Request for Applicants for the Appointment to the United States-Brazil CEO Forum**

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

**ACTION:** Notice.

**SUMMARY:** In March 2007, the Governments of the United States and Brazil established the U.S.-Brazil CEO Forum. This notice announces membership opportunities for up to three individuals for appointment as American representatives to the current U.S. Section of the Forum. The current U.S. Section term will expire on August 12, 2013.

**DATES:** Applications should be received no later than November 4, 2011.

**ADDRESSES:** Please send requests for consideration to Lorrie Fussell, Office of South America, U.S. Department of Commerce, either by e-mail at [lorrie.fussell@trade.gov](mailto:lorrie.fussell@trade.gov) or by mail to U.S. Department of Commerce, 1401 Constitution Avenue, NW., Room 3203, Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Lorrie Fussell, Office of South America, U.S. Department of Commerce, *telephone:* (202) 482-4157.

**SUPPLEMENTARY INFORMATION:** The Secretary of Commerce and the Deputy Assistant to the President and Deputy National Security Advisor for International Economic Affairs, together with the Planalto Casa Civil Minister (Presidential Chief of Staff) and the Brazilian Minister of Development, Industry and Foreign Trade, co-chair the U.S.-Brazil CEO Forum, pursuant to the Terms of Reference signed in March 2007 by the U.S. and Brazilian governments, which set forth the objectives and structure of the Forum. The Terms of Reference may be viewed at: [http://trade.gov/press/press\\_releases/2007/brazilceo\\_02.asp](http://trade.gov/press/press_releases/2007/brazilceo_02.asp). The Forum, consisting of both private and public sector members, brings together leaders of the respective business communities of the United States and Brazil to discuss issues of mutual interest, particularly ways to strengthen the economic and commercial ties between the two countries. The Forum consists of the U.S. and Brazilian co-chairs and a Committee comprised of private sector members. The Committee will be composed of two Sections, each consisting of ten to twelve members from the private sector, representing the views and interests of the private sector

business community in the United States and Brazil. Each government appoints the members to its respective Section. The Committee provides recommendations to the two governments that reflect private sector views, needs and concerns regarding the creation of an economic environment in which their respective private sectors can partner, thrive and enhance bilateral commercial ties to expand trade between the United States and Brazil.

Candidates are currently sought to fill up to three current vacancies on the U.S. Section of the Forum. Each candidate must be the Chief Executive Officer or President (or have a comparable level of responsibility) of a U.S.-owned or -controlled company that is incorporated in and has its main headquarters in the United States and that is currently doing business in both Brazil and the United States. Each candidate also must be a U.S. citizen or otherwise legally authorized to work in the United States and able to travel to Brazil and locations in the United States to attend official Forum meetings as well as independent U.S. Section and Committee meetings. In addition, the candidate may not be a registered foreign agent under the Foreign Agents Registration Act of 1938, as amended. Applicants may not be federally-registered lobbyists, and, if appointed, will not be allowed to continue to serve as members of the U.S. Section of the Committee if the member becomes a federally-registered lobbyist.

Evaluation of applications for membership in the U.S. Section by eligible individuals will be based on the following criteria:

- A demonstrated commitment by the individual's company to the Brazilian market either through exports or investment.
- A demonstrated strong interest in Brazil and its economic development.
- The ability to offer a broad perspective and business experience to the discussions.
- The ability to address cross-cutting issues that affect the entire business community.
- The ability to initiate and be responsible for activities in which the Forum will be active.

Members will be selected on the basis of who will best carry out the objectives of the Forum as stated in the Terms of Reference establishing the U.S.-Brazil CEO Forum. The U.S. Section of the Forum should also include members that represent a diversity of business sectors and geographic locations. To the extent possible, U.S. Section members