

Treaty Doc. 103–21 defined the term “protective purposes” to mean “used for determining the adequacy of defense equipment and measures.” Consistent with this definition, U.S. implementation, as authorized via Presidential Decision Directive (PDD) 70, December 17, 1999, assigned the responsibility to operate these two facilities to the Department of Defense (DOD), thereby precluding commercial production of Schedule 1 chemicals for protective purposes in the United States. This action did not establish any limitations on “Schedule 1” chemical activities that are not prohibited by the CWC. However, the Department of Defense maintains strict controls on “Schedule 1” chemicals produced at its facilities in order to ensure the accountability and proper use of such chemicals, consistent with the object and purpose of the Convention.

The provisions of the CWC that affect commercial activities involving “Schedule 1” chemicals are implemented in the CWC (see 15 CFR part 712) and in the Export Administration Regulations (EAR) (see 15 CFR 742.18 and 15 CFR part 745), both of which are administered by the Bureau of Industry and Security (BIS). Pursuant to CWC requirements, the CWC restrict commercial production of Schedule 1 chemicals to research, medical, or pharmaceutical purposes. The CWC also contain other requirements and prohibitions that apply to “Schedule 1” chemicals and/or “Schedule 1” facilities. Specifically, the CWC:

(1) Prohibit the import of “Schedule 1” chemicals from States not Party to the Convention (15 CFR 712.2(b));

(2) Require annual declarations by certain facilities engaged in the production of “Schedule 1” chemicals in excess of 100 grams aggregate per calendar year (i.e., declared “Schedule 1” facilities) for purposes not prohibited by the Convention (15 CFR 712.5(a)(1) and (a)(2));

(3) Require government approval of “declared Schedule 1” facilities (15 CFR 712.5(f));

(4) Provide that “declared Schedule 1” facilities are subject to initial and routine inspection by the Organization for the Prohibition of Chemical Weapons (15 CFR 712.5(e) and 716.1(b)(1));

(5) Require 200 days advance notification of establishment of new “Schedule 1” production facilities producing greater than 100 grams aggregate of “Schedule 1” chemicals per calendar year (15 CFR 712.4);

(6) Require advance notification and annual reporting of all imports and

exports of “Schedule 1” chemicals to, or from, other States Parties to the Convention (15 CFR 712.6, 742.18(a)(1) and 745.1); and

(7) Prohibit the export of “Schedule 1” chemicals to States not Party to the Convention (15 CFR 742.18(a)(1) and (b)(1)(ii)).

#### Request for Comments

In order to assist in determining whether the legitimate commercial activities and interests of chemical, biotechnology, and pharmaceutical firms in the United States are significantly harmed by the limitations of the Convention on access to, and production of, “Schedule 1” chemicals as described in this notice, BIS is seeking public comments on any effects that implementation of the Chemical Weapons Convention, through the Chemical Weapons Convention Implementation Act and the Chemical Weapons Convention Regulations, has had on commercial activities involving “Schedule 1” chemicals during calendar year 2007. In response to last year’s notice of inquiry, BIS received comments from two companies. To allow BIS to properly evaluate the significance of any harm to commercial activities involving “Schedule 1” chemicals, public comments submitted in response to this notice of inquiry should include both a quantitative and qualitative assessment of the impact of the CWC on such activities.

#### Submission of Comments

All comments must be submitted to the address indicated in this notice. The Department requires that all comments be submitted in written form.

The Department encourages interested persons who wish to comment to do so at the earliest possible time. The period for submission of comments will close on December 17, 2007. The Department will consider all comments received before the close of the comment period. Comments received after the end of the comment period will be considered if possible, but their consideration cannot be assured. The Department will not accept comments accompanied by a request that a part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. The Department will return such comments and materials to the persons submitting the comments and will not consider them. All comments submitted in response to this notice will be a matter of public record and will be available for public inspection and copying.

The Office of Administration, Bureau of Industry and Security, U.S.

Department of Commerce, displays public comments on the BIS Freedom of Information Act (FOIA) Web site at <http://www.bis.doc.gov/foia>. This office does not maintain a separate public inspection facility. If you have technical difficulties accessing this Web site, please call BIS’s Office of Administration, at (202) 482–1093, for assistance.

Dated: November 8, 2007.

**Matthew S. Borman,**

*Deputy Assistant Secretary for Export Administration.*

[FR Doc. E7–22386 Filed 11–14–07; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–469–814]

#### Chlorinated Isocyanurates From Spain: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** The Department of Commerce (“Department”) published its preliminary results of the administrative review of the antidumping duty order on chlorinated isocyanurates (“chlorinated isos”) from Spain on July 9, 2007. See *Chlorinated Isocyanurates from Spain: Preliminary Results of Antidumping Duty Administrative Review*, 72 FR 37189 (July 9, 2007) (“*Preliminary Results*”). The period of review (“POR”) is December 20, 2004, through May 31, 2006. We invited interested parties to comment on our *Preliminary Results*. Based on our analysis of the comments received, we have made changes to our calculations. The final dumping margins from this review are listed in the “Final Results of Review” section below.

**EFFECTIVE DATE:** November 15, 2007.

**FOR FURTHER INFORMATION CONTACT:** Thomas Martin, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482–3936.

**SUPPLEMENTARY INFORMATION:** On June 24, 2005, the Department published in the *Federal Register* an antidumping duty order on chlorinated isos from Spain. See *Chlorinated Isocyanurates from Spain: Notice of Antidumping Duty Order*, 70 FR 36502 (June 24, 2005) (“*Chlorinated Isos Order*”). On July 27, 2006, the Department published in the

**Federal Register** a notice of the initiation of the antidumping duty administration review of chlorinated isos from Spain for the period December 20, 2004, through May 31, 2006. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 42626 (July 27, 2006).

The Department published the preliminary results of these reviews on July 9, 2007. *See Preliminary Results*. We invited parties to comment on our preliminary results of review. *See Preliminary Results*, 72 FR at 37194. The respondent Aragonas y Energías S.A. ("Aragonas") and the petitioners, Biolab, Inc., Clearon Corporation and Occidental Chemical Corporation (collectively, "the petitioners"), submitted case briefs on August 8, 2007. Aragonas and the petitioners submitted rebuttal briefs on August 22, 2007. On September 25, 2007, the Department held both a public session and a closed session hearing concerning these issues raised by the parties in their briefs.

#### Scope of Antidumping Duty Order

The products covered by this order are chlorinated isos. Chlorinated isos are derivatives of cyanuric acid, described as chlorinated s-triazine triones. There are three primary chemical compositions of chlorinated isos: (1) trichloroisocyanuric acid (C13(NCO)3); (2) sodium dichloroisocyanurate (dihydrate) (NaC12(NCO)3 2H2O); and (3) sodium dichloroisocyanurate (anhydrous) (NaC12(NCO)3). Chlorinated isos are available in powder, granular, and tableted forms. This order covers all chlorinated isos.

Chlorinated isos are currently classifiable under subheadings 2933.69.6015, 2933.69.6021, and 2933.69.6050 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The tariff classification 2933.69.6015 covers sodium dichloroisocyanurates (anhydrous and dihydrate forms) and trichloroisocyanuric acid. The tariff classifications 2933.69.6021 and 2933.69.6050 represent basket categories that include chlorinated isos and other compounds including an infused triazine ring. Although the HTSUS subheadings are provided for convenience and customers purposes, and written description of the scope of this order is dispositive.

#### Analysis of Comments Received

All issues raised in the briefs and rebuttal briefs submitted by the parties in these reviews are addressed in the

Issues and Decision Memorandum, which is hereby adopted by this notice. A list of the issues which parties raised and to which we responded in the Issues and Decision Memorandum is attached to this notice as an appendix. The Issues and Decision Memorandum is a public document which is on file in the Central Records Unit in room B-099 in the main Department building, and is accessible on the Web at <http://www.ia.ita.doc.gov/frn>. The paper copy and electronic version of the memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made changes in the margin calculation for Aragonas. For a list of these changes, *see* Issues and Decision Memorandum, at the section titled "Changes in the Margin Calculation Since the Preliminary Results."

#### Final Results of Review

We determine that the following percentage margin exists for the period December 20, 2004, through May 31, 2006:

Manufacturer/exporter	Weighted-average margin (percentage)
Aragonas Industrias y Energías S.A. ....	2.35

#### Assessment

The Department shall determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries, in accordance with 19 CFR 351.212(b). In accordance with 19 CFR 351.212(b)(1), we calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to each importer, to the total entered value of the examined sales for that importer. Where the importer-specific assessment rate is above *de minimis* (i.e., 0.50 percent or greater), we will instruct CBP to assess the importer-specific rate uniformly, as appropriate, on all entries of subject merchandise during the POR that were entered by the importer. The Department will issue instructions to CBP 15 days after the date of publication of these final results of review directing CBP to assess the final assessment rates (if above *de minimis*) uniformly on all entries of subject merchandise made by the relevant importer during the POR. Pursuant to 19 CFR 351.106(c)(2), the Department will

instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (i.e., less than 0.50 percent).

The Department clarified its "automatic assessment" regulation on May 6, 2003. *See Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) ("Assessment Policy Notice"). This clarification will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the "All Others" rate if there is no rate for the intermediary involved in the transaction. *See Assessment Policy Notice* for a full discussion of this clarification.

#### Cash Deposit Requirements

The following deposit requirements will be effective for all shipments of chlorinated isos from Spain entered, or withdrawn from warehouse, for consumption, effective on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company, Aragonas, will be the rate shown above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will be 24.83 percent, the "All Others" rate made effective by the original investigation. *See Chlorinated Isos Order*. These deposit requirements shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility, under 19 CFR 351.402(f)(2), to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent

assessment of double antidumping duties.

#### Notification to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these final results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: November 6, 2007.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix

Comment 1: Whether the Department Should Grant a Level of Trade Adjustment.

A. Whether Certain Sales to Industrial Customers Should Be Reclassified as Sales in the Retail Channel of Distribution Due to Product Characteristics.

B. Whether Evidence on the Record Supports Aragonese's Reported Selling Activity Intensity.

Comment 2: Whether the Department Should Exclude Sales for Which Aragonese's Reported No Freight Expenses in Calculating the Average Rate by Which Aragonese's Over-reported Home Market Inland Freight.

Comment 3: Whether the Department Should Apply the Major Input Rule for Valuing Caustic Soda and Chlorine Inputs.

Comment 4: Whether the Tableting and Packaging Services Supplier Is Affiliated With Aragonese's.

Comment 5: Whether the Department Should Adjust Aragonese's G&A Expenses.

Comment 6: Whether the Department Should Adjust Aragonese's Cost of Production To Account for Costs That Were Unreconciled After Verification.

Comment 7: Whether the Department Should Deduct Unsubstantiated Interest Income From Aragonese's Financial Expense Ratio Calculation.

Comment 8: Whether the Department Should Adjust the Reported Costs for CONNUM 1111.

Comment 9: Whether the Department Should Refrain From Zeroing Negative Margins.

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## DEPARTMENT OF COMMERCE

### Minority Business Development Agency

[Docket No.: 071107681-7682-01]

#### Extension of the Award Period for Certain Native American Business Enterprise Centers

**AGENCY:** Minority Business Development Agency, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Minority Business Development Agency (MBDA) is publishing this notice to allow for up to a 180-day funded extension, on a non-competitive basis, of the award periods for those Native American Business Enterprise Centers (NABECs) identified in this notice whose current award period is scheduled to end on December 31, 2007. MBDA is taking this action to allow for continued program delivery by the identified NABEC operators while MBDA completes the competitive solicitation and award processes for the next three (3) year NABEC award period.

**DATES:** The award period and related funding, if approved by the Department of Commerce Grants Officer, will commence January 1, 2008 and will continue for a period not to exceed 180 days.

**FOR FURTHER INFORMATION CONTACT:** Mr. Efrain Gonzalez, Chief, Office of Business Development, Minority Business Development Agency, 1401 Constitution Avenue, NW., Room 5075, Washington, DC 20230. Mr. Gonzalez may be reached by telephone at (202) 482-1940 and by e-mail at [egonzalez@mbda.gov](mailto:egonzalez@mbda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to Executive Order 11625, the NABEC Program provides standardized business assistance and development services directly to Native American- and other eligible minority-owned businesses. The NABEC Program is a key component of MBDA's overall business development assistance program and promotes the growth and competitiveness of eligible businesses and further incorporates an entrepreneurial approach to the delivery of client services. This entrepreneurial strategy expands the reach and service delivery of the NABEC Program by requiring project operators to develop and to build upon strategic alliances with public and private sector partners as a means of serving eligible businesses within each NABEC's applicable geographical service area. MBDA currently funds a network of eight (8)

NABEC projects located throughout the United States.

This notice amends MBDA's prior **Federal Register** notice dated August 29, 2003 (68 FR 51981), as amended on September 30, 2003 (68 FR 56267), February 11, 2004 (69 FR 6644), February 19, 2004 (69 FR 7726) and October 25, 2006 (71 FR 62420) to allow for up to a 180-day funded extension, on a non-competitive basis, of the award period for the following five (5) NABECs whose award period is scheduled to end on December 31, 2007: Minnesota/Iowa Statewide NABEC (Minnesota Chippewa Tribe); North Dakota/South Dakota Statewide NABEC (United Tribes Technical College); Arizona Statewide NABEC (The National Center for American Indian Enterprise Development); California Statewide NABEC (The National Center for American Indian Enterprise Development); and the Northwest NABEC (The National Center for American Indian Enterprise Development). MBDA is taking this action to allow for continued program delivery by the five identified NABEC operators while MBDA completes the competitive solicitation and award processes for the next three (3) year NABEC award period. The remaining three (3) NABEC projects: North Carolina Statewide NABEC (The National Center for American Indian Enterprise Development); New Mexico Statewide NABEC (American Indian Chamber of Commerce of New Mexico); and the Oklahoma Statewide NABEC (Rural Enterprises of Oklahoma, Inc.) are not affected by this notice as their respective awards period do not expire until the end of July or August 2008 (as the case may be).

The allowable award extensions and additional funding set forth herein will be made at the sole discretion of MBDA and the Department of Commerce using the evaluation criteria and process used to determine the continuation of funding during the original award period (Program Years 1-4). In making such determinations, the following factors will be considered: (1) The NABEC's program performance rating during the prior program period; (2) the availability of appropriated funds; and (3) MBDA and Department of Commerce priorities. MBDA will review the project's performance rating as evaluated through the standardized performance reports and assessments required under the NABEC Program. Projects receiving below a "Satisfactory" performance rating in the prior program period will be eligible for an award extension under this notice.