

FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the period of review produced by companies included in these preliminary results of review for which the reviewed companies did not know their merchandise 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 intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

### Cash Deposit Requirements

The following cash deposit rates will be effective upon publication of the final results of this administrative review for all shipments of welded pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the company listed above will be the rate established in the final results of this review; (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, a prior review, or the less-than-fair-value ("LTFV") 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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the LTFV investigation conducted by the Department, the cash deposit rate will be 14.74 percent, the "All Others" rate established in the LTFV investigation. These cash deposit requirements, when imposed, shall remain in effect until further notice.

This notice serves as a preliminary reminder to importers of their responsibility under section 351.402(f)(2) of the Department's regulations to file a certificate regarding the reimbursement of antidumping and/or countervailing 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 and/or countervailing duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 4, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

[Docket Number: 100407180-0225-02]

#### Technology Innovation Program (TIP) Notice of Availability of Funds; Amendment

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

**ACTION:** Notice of availability of funds; amendment.

**SUMMARY:** On April 19, 2010, the National Institute of Standards and Technology (NIST) published a notice in the **Federal Register** announcing the solicitation of proposals for the fiscal year 2010 Technology Innovation Program (TIP) competition. NIST is issuing this notice to correct the award start date, to correct the description of a nonresponsive proposal listed under Element 3 of the Manufacturing Area of Critical National Need addressed in the notice, and to clarify the function of the white paper referenced in the notice.

**DATES:** The due date for submission of proposals for the fiscal year 2010 TIP competition is 11:59 p.m. Eastern Time, Thursday, July 15, 2010.

**ADDRESSES:** Proposals must be submitted to TIP as follows:

*Paper submission:* Send to National Institute of Standards and Technology, Technology Innovation Program, 100 Bureau Drive, Stop 4750, Gaithersburg, MD 20899-4750.

*Electronic submission:* <http://www.grants.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Thomas Wiggins via e-mail at [thomas.wiggins@nist.gov](mailto:thomas.wiggins@nist.gov) or telephone 301-975-5416.

**SUPPLEMENTARY INFORMATION:** On April 19, 2010, NIST published a notice announcing the solicitation of proposals for the fiscal year 2010 TIP competition (75 FR 20326-34). NIST is issuing this notice to make two corrections and one clarification to that notice. NIST corrects the start date for funding projects. In the April 19, 2010 notice, NIST erroneously indicated in the

section entitled Funding Availability that the anticipated start date is January 1, 2010. The correct anticipated start date for funding of proposals under this solicitation is January 1, 2011. The revised Funding Availability section is stated below in its entirety for the public's convenience.

*Funding Availability:* Fiscal year 2010 appropriations include funds in the amount of approximately \$25 million for new TIP awards. The anticipated start date is January 1, 2011. The period of performance depends on the R&D activity proposed. A single company can receive up to a total of \$3 million with a project period of performance of up to 3 years. A joint venture can receive up to total of \$9 million with a project period of performance of up to 5 years. Continuation of funding after the initial award is based on satisfactory performance, availability of funds, continued relevance to program objectives, and is at the sole discretion of NIST.

In addition, NIST revises the April 19, 2010 notice to correct an example of a nonresponsive proposal listed under Element 3 of the Manufacturing Area of Critical National Need. Due to a drafting error, NIST incorrectly indicated that projects with a primary focus on device development are considered nonresponsive projects. NIST's intent was to indicate that projects without a primary focus on addressing specific process bottlenecks are considered nonresponsive. This error is corrected by replacing the last bullet under the examples of proposals addressing critical process advances that will be considered nonresponsive. The language "Projects with a primary focus (people, equipment, time and/or funds) on device development." is replaced with "Projects that do not have a primary focus (people, equipment, time and/or funds) on addressing specific process bottlenecks." The entire revised bulleted list under the examples of proposals addressing critical process advances that will be considered nonresponsive is restated below for the public's convenience.

Examples of proposals addressing critical process advances that will be considered nonresponsive are:

- Any manufacturing process that offers only incremental improvement over existing processes;
- Processes that are intended primarily for military/weaponry applications (e.g. warhead manufacture, chemical/biological warfare materials production);
- Manufacturing processes that cannot be performed in the U.S. due to existing laws or regulations;

- Projects primarily focused on production of non-engineered cells or tissues as therapeutics;
- Projects involving straightforward scale-up of biopharmaceuticals with incremental improvements in the manufacturing processes;
- Projects that involve incremental improvements in traditional processes for biomolecule production (e.g. vaccine production in chicken eggs, hormones such as insulin extracted from pig tissue);
- Biomufacturing projects that primarily focus on processes for production of non-biopharmaceutical products (e.g. production of biofuels or small molecule drugs);
- Projects that primarily focus on drug discovery or design of new biomaterials;
- Projects that primarily focus on discovery of new production cell systems;
- Projects that use living genetically modified vertebrate animals, invertebrate animals, or plants as bioreactors for biopharmaceutical production;
- Production or scale up of scaffolds or biomaterials used in scaffold design that are not a part of the manufacturing of engineered tissues; and
- Projects that do not have a primary focus (people, equipment, time and/or funds) on addressing specific process bottlenecks.

Finally, NIST is clarifying that the white paper "Manufacturing and Biomanufacturing: Materials Advances and Critical Processes" referenced in the description of Area of Critical National Need: Manufacturing (75 FR 20327) only provides background information related to the selection of this Critical National Need and the associated societal challenges; it does not specifically describe the scope of the Notice of Availability of Funds.

*Administrative Procedure Act and Regulatory Flexibility Act:* Prior notice and comment are not required under 5 U.S.C. 553, or any other law, for rules relating to public property, loans, grants, benefits or contracts (5 U.S.C. 553(a)). Because prior notice and an opportunity for public comment are not required pursuant to 5 U.S.C. 553 or any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are inapplicable. Therefore, a regulatory flexibility analysis is not required and has not been prepared.

*E.O. 12866 (Regulatory Planning and Review):* This notice has been determined to be not significant under Executive Order 12866.

Dated: June 7, 2010.

**Katharine B. Gebbie,**

*Director, Physics Laboratory.*

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**BILLING CODE 3510-13-P**

## **COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

### **Procurement List; Additions**

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Additions to the Procurement List.

**SUMMARY:** This action adds a product and services to the Procurement List to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**DATES:** *Effective Date:* 7/12/2010.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202-3259.

**FOR FURTHER INFORMATION CONTACT:** Barry S. Lineback, Telephone: (703) 603-7740, Fax: (703) 603-0655, or e-mail: [CMTEFedReg@AbilityOne.gov](mailto:CMTEFedReg@AbilityOne.gov).

### **SUPPLEMENTARY INFORMATION:**

#### **Additions**

On 4/9/2010 (75 FR 18164-18165), the Committee for Purchase From People Who Are Blind or Severely Disabled published a notice of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide a product and services and impact of the addition on the current or most recent contractors, the Committee has determined that a product and services listed below is suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

#### **Regulatory Flexibility Act Certification**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will provide a product and services to the Government.
2. The action will result in authorizing small entities to provide a product and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with this product and services proposed for addition to the Procurement List.

#### **End of Certification**

Accordingly, the following product and services are added to the Procurement List:

#### **Product**

##### **Wooden Trunk Locker**

NSN: 8460-00-243-3234.

NPA: Employment Source, Inc., Fayetteville, NC.

*Contracting Activity:* Defense Logistics Agency, Defense Supply Center Philadelphia, Philadelphia, PA.

*Coverage:* C-List for 50% of the requirements for the Defense Supply Center Philadelphia, Philadelphia, PA.

The Committee for Purchase From People Who Are Blind or Severely Disabled (Committee) operates pursuant to statutory and regulatory requirements. Committee regulations states that for a commodity or service to be suitable for addition to the Procurement List (PL) each of the following criteria must be satisfied: employment potential; nonprofit agency qualifications, capability, and level of impact on the current contractor for the commodity or service.

Comments were received from a commercial company that claims to have previously provided this product to the government. The company stated that they are not currently providing the product to the government; however, placing this item on the PL would impact them since they would lose the opportunity to possibly provide this product to the government in the future. Prior to placing a product or service on the PL, the Committee considers impact on the current or most recent contractor. The Committee does not consider impact on any contractor that may have ever provided a product or service to the government—only the current or most recent contractor. The Committee cannot speculate on the possibility of particular companies being selected to provide products and services to the government in the future.

The commenter also asserted that there is collusion between the nonprofit agency and another small business competitor that will result in its competitor enjoying a profitable subcontract forever if the commercial portion of the trunk locker requirement is added to the PL. Based on a review, the Committee is satisfied that the nonprofit agency complied with its