Because SSAB did not have any long-term loans in 1997, we used as the discount rate the long-term industrial bond rate in Sweden, a benchmark previously established in *1993 Certain Steel Products.* Then we divided the aggregate benefit of these loans by SSAB's total sales for 1997. On this basis, we preliminarily determine that, because the assistance provided under this program would result in a rate of less than 0.005 percent *ad valorem*, and would have no impact on the countervailing duty rate calculated for this POR, it is not necessary to determine whether these loans under NUTEK are specific. *See, e.g. Final Affirmative Countervailing Duty Determination: Steel Wire Rod from Germany,* 62 FR 54990, 54995–54996 (October 22, 1997).

In addition, SSAB reported to have received a NUTEK R&D grant for the application and further development of Information Technology concerning improved energy utilization and control of industrial processes. Disbursements of these grants, which were received prior to the POR, did not exceed the 0.5 percent of SSAB's total sales in the year they were received. Therefore, in accordance with our practice, the entire amount was expensed in the year of receipt. See *Cut-to-Length Steel Plate from Belgium; Preliminary Results of Countervailing Duty Review,* 63 FR 48188, 48190 (September 9, 1998). On that basis, we preliminarily determine that it is not necessary to determine whether grants under NUTEK are specific.

Preliminary Results of Review

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for each producer/exporter subject to this administrative review. For the period January 1, 1997 through December 31, 1997, we preliminarily determine the net subsidy for SSAB to be 0.72 percent *ad valorem*.

Because the URAA replaced the general rule in favor of a country-wide rate with a general rule in favor of individual rates for investigated and reviewed companies, the procedures for establishing countervailing duty rates, including those for non-reviewed companies, are now essentially the same as those in antidumping cases, except as provided for in section 777A(e)(2)(B) of the Act. The requested review will normally cover only those companies specifically named. *See* 19 CFR 351.213(b). Pursuant to 19 CFR 351.212(c), for all companies for which a review was not requested, duties must be assessed at the cash deposit rate, and cash deposits must continue to be collected, at the rate previously ordered. As such, the countervailing duty cash deposit rate applicable to a company can no longer change, except pursuant to a request for a review of that company. Therefore, the cash deposit rates for all companies except those covered by this review will be unchanged by the results of this review.

We will instruct Customs to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non-reviewed companies covered by this order will be the rate for that company established in the most recently completed administrative proceeding conducted under the URAA. *See Certain Carbon Steel Products from Sweden; Final Results of Countervailing Duty Administrative Review,* 61 FR 5378 (February 12, 1996). These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested. In addition, for the period January 1, 1997 through December 31, 1997, the assessment rates applicable to all non-reviewed companies covered by this order are the cash deposit rates in effect at the time of entry.

Public Comment

Pursuant to Subpart B of 19 CFR 351.224(b), the Department will disclose to the parties of this proceeding within five days after the date of any public announcement or if none within five days after the publication of this notice, the calculations performed in this review. Interested parties may request a hearing not later than 30 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted five days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. Any hearing, if requested, will be held two days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with Subpart B of 19 CFR 351.303(f).

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 351.309(c)(ii), are due. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

This administrative review and notice are issued and published in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR 351.213.

Dated: July 6, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–17646 Filed 7–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–533–063]

Amended Final Results of Expedited Sunset Review: Iron Metal Castings From India

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

ACTION: Notice of amended final results of expedited sunset review: iron metal castings from India.

FOR FURTHER INFORMATION CONTACT: Scott E. Smith or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th & Constitution, Washington, D.C. 20230; telephone: (202) 482–6397 or (202) 482–1560, respectively.

EFFECTIVE DATE: July 12, 1999.

Scope

The merchandise subject to this countervailing duty order are shipments of manhole covers and frames, clean-out covers and frames, and catch basin grates and frames from India. These articles are commonly called municipal or public works castings and are used for access or drainage for public utility, water, and sanitary systems. These articles must be of cast iron, not alloyed, and not malleable. This merchandise is currently classifiable under item numbers 7325.10.0010 and 7325.10.0050 of the Harmonized Tariff Schedule of the United States (''HTSUS''). The HTSUS item numbers are provided for convenience and U.S. Customs purposes. The written description remains dispositive.

Summary

On November 2, 1998, the Department of Commerce (''the Department'') initiated a sunset review of the countervailing duty order on iron metal castings from India (63 FR 58709) pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On June 1, 1999, the Department issued its final results of the sunset review of the countervailing duty order on iron metal castings from India (64 FR 30316), in which we determined that there was a likelihood of continuation or recurrence of a countervailable subsidy if the order were to be revoked. In this determination, the Department also determined the net subsidy rate likely to prevail if the order were to be revoked.

On June 23, 1999, the Department received allegations, timely filed pursuant to 19 CFR 351.224(c)(2), from the Municipal Castings Fair Trade Council and its individual members (collectively, ''domestic industry'') that the Department made a ministerial error in its final results. The domestic industry alleged that the Department failed to include the subsidy rate for the International Price Reimbursement Scheme (''IPRS'') program in its final results of the sunset review for this case. The domestic industry, citing the *Sunset Policy Bulletin,* stated that the Department normally ''will not make adjustments to the net countervailable subsidy rate for programs that still exist, but were modified subsequent to the order, * * * to eliminate exports to the United States (or subject merchandise) from eligibility.'' The domestic industry argued that Indian foundries that exported heavy castings (subject merchandise) to the United States were simply told not to make claims for IPRS benefits on those castings. Further, the domestic industry argued that there has never been any termination of the IPRS program overall, and the program continues today.

The Department received, on June 30, 1999, a submission on behalf of the Engineering Export Promotion Council of India (''EEPC'') in rebuttal to the ministerial error alleged by the domestic industry. The EEPC argued that the domestic industry was incorrect in stating that the IPRS program continues to exist. The EEPC asserted that the Department has information on the record of the 1994 administrative review segment of this proceeding stating that the Indian Ministry of Commerce withdrew the IPRS, effective April 1, 1994. Further, the EEPC states that this withdrawal applied to all exporters and all products.

On July 2, 1999, the Department received a response from the domestic industry arguing that the EEPC has waived its right to participate in this sunset review before the Department, pursuant to 19 CFR 351.218, and the Department should, therefore, reject the EEPC's June 30, 1999, submission. Furthermore, the domestic industry states that it knows of no finding that the IPRS has been terminated, with respect to all exporters and all products.

After analyzing the domestic industry's June 23, 1999 submission, we have determined, in accordance with 19 CFR 351.224, that a ministerial error was made in the final determination concerning the IPRS program. The Department notes that the definition of a ministerial error provides not only for the correction of errors in arithmetic but also for ''any other similar type of unintentional error which the Secretary considers ministerial'' (*see* 19 CFR 351.224(f)). In the Department's final results of the sunset review for this case, we excluded the IPRS program from our net subsidy calculation based on the fact that the Department ''had verified this termination [of the IPRS program] by examining a circular from the Indian Ministry of Commerce which stated that claims were not to be made on exports of castings to the United States and, as such, the Department determined that this constituted termination of the program'' (*see Final Results of Expedited Sunset Review: Iron Metal Castings from India,* 64 FR 30316 (June 7, 1999)). The Department's reliance on this statement for its final determination in the sunset review was in error. As noted above, the Department's *Sunset Policy Bulletin* state that where a program continues to exist, but was modified to eliminate exports to the United States (or subject merchandise) from eligibility, the Department will normally not make adjustments to the net countervailable subsidy rate. The Department's decision to consider the IPRS program terminated based upon the fact that the program had been modified to exclude exports of heavy castings to the United States was, therefore, in error because reliance on modification as a basis for finding a program completely terminated is inconsistent with our *Sunset Policy Bulletin.*

However, based on the domestic industry's ministerial allegation and the EEPC's reply, the Department has reexamined all relevant information pertaining to the termination of the IPRS program. The Department located a submission from the Indian Ministry of Commerce, dated April 4, 1994, which demonstrates that the Government of India has fully and completely eliminated the IPRS program (*see* November 19, 1996 Verification Report for Certain Iron Metal Castings from India, Exhibit EEPC 4, placed on the record of this sunset review on July 2, 1999).[1] Specifically, the Indian Ministry of Commerce states that ''it has been decided to withdraw the International Price Reimbursement Scheme (IPRS) with effect from 01.4.1994, i.e. benefits under the scheme would be available for eligible engineering goods exports shipped up to [sic] 31.3.1994 only.'' (*Id.*) Consistent with our *Sunset Policy Bulletin* (*see* section III.B.3.a), this evidence of the complete and total withdrawal of the IPRS program is the appropriate basis for the Department's finding that the IPRS program is terminated. The Department's correction of its ministerial error, *i.e.,* the appropriate basis for its termination finding, does not change the net subsidy rate reported in the original final determination of this sunset review.[2]

With respect to the domestic industry's argument that, pursuant to 19 CFR 351.218, the Department should reject the June 30, 1999, submission of the EEPC, the Department disagrees. Section 351.218(d)(2)(i) of the Department's regulations provides that if a respondent interested party waives participation in the sunset review before the Department (as the EEPC did), the Department will not accept or consider any unsolicited submissions from that party *during the course of the review.* The EEPC's submission, however, was not made during the course of the sunset review. Rather, the EEPC filed a reply to ministerial error comments made by the domestic industry *after* the Department had issued its final determination in the sunset review.

Section 351.224 of the Act outlines the procedures for the correction of ministerial errors. Specifically, section 351.224(c)(3) of the Act, states that ''replies to comments filed under (c)(1) of this section must be filed within five days after the date on which comments were filed with the Secretary.'' This regulation does not limit who may file

[1] In addition, the Department has placed on the record of this sunset review all relevant information concerning the termination of the IPRS program. This information can be found in the public sunset file of this review in Central Records Unit, Room B–099 of the main Commerce building.

[2] Furthermore, the Department can confirm that no residual benefits exist from this program to Indian producers/exporters of the subject merchandise to the United States (*see* the 1996 and the 1997 Verification Report of Iron Metal Castings from India, placed on the record of this sunset review on July 2, 1999).

replies to ministerial error allegations.[3] Because the submission from the EEPC is timely filed, pursuant to section 351.224(c)(3) of the Act, we have accepted it. Finally, contrary to arguments raised by the domestic industry, acceptance of the EEPC's submission does not result in an inference adverse to the domestic industry; rather the EEPC's submission relates important factual information that is already on the record of this proceeding, *i.e.*, in the 1994 administrative review segment. For these reasons, therefore, the Department finds no reason to reject the EEPC's June 30, 1999, submission.

Amended Final Results of Review

For the reasons stated above, the Department continues to find that revocation of the countervailing duty order would be likely to lead to continuation or recurrence of a countervailable subsidy at the rates listed in the Department's final determination of the sunset review of this case (*see Final Results of Expedited Sunset Review: Iron Metal Castings from India*, 64 FR 30316 (June 7, 1999)).

This five-year (''sunset'') review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: July 6, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–17643 Filed 7–9–99; 8:45 am]

BILLING CODE 3510–DS–P

[3] While there are no limitations on who may file *replies* to ministerial error allegations, the regulations do provide that only a ''party to the proceeding'' may file ministerial error allegations. *See* 19 CFR 351.224(c)(1) and 19 CFR 351.102 (defining ''party to the proceeding'')

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No: 981029270–9156–02]

RIN 0693–ZA26

National Voluntary Laboratory Accreditation Program

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

ACTION: Notice.

SUMMARY: Under the National Voluntary Laboratory Accreditation Program (NVLAP), the National Institute of Standards and Technology (NIST) announces the establishment of an accreditation program for laboratories that perform Information Technology (IT) Security Testing in accordance with the National Information Assurance Partnership (NIAP) Common Criteria Evaluation and Validation Scheme based on: (1) ISO/IEC FDIS 15408, and (2) Common Evaluation Methodology for Information Technology Security (CEM), an International draft.

DATES: The evaluation of an initial group of applicant laboratories for accreditation to the ISO/IEC FDIS 15408 and CEM standards will commence on or about June 30, 1999. Laboratories wishing to be accredited in the first group must submit an application form and pay all required fees. Laboratories whose applications are received will be considered on a when-received basis. The fees are partially refundable if the laboratory's application is withdrawn before its evaluation begins.

ADDRESSES: Laboratories may obtain applications for accreditation for Common Criteria Testing (CCT) by calling 301–975–4016 or by writing to: Information Technology Security Testing (ITST) Program Manager, NIST/NVLAP, 100 Bureau Drive, Stop 2140, Gaithersburg, Maryland 20899–2140.

FOR FURTHER INFORMATION CONTACT: James L. Cigler, Chief, National Voluntary Laboratory Accreditation Program (NVLAP), NIST, 100 Bureau Drive, Stop 2140, Gaithersburg, Maryland 20899–2140. Telephone: 301–975–4016.

SUPPLEMENTARY INFORMATION:

Background

This notice is issued in accordance with the NVLAP Procedures and General Requirements (15 CFR Part 285). A request for establishment of the NVLAP Information Technology Security Testing Program and the inclusion of Common Criteria Testing in that program was published in the **Federal Register** on Wednesday, February 17, 1999, 64 FR 7859–7861. At the end of the comment period, May 3, 1999, only one comment was received that did not pertain to the establishment of the program.

Common Criteria Testing

NVLAP will accredit laboratories which demonstrate their competence to perform Common Criteria Testing (CCT) in accordance with protocols specified in ISO/IEC FDIS 15408 and the draft CEM standard.

Cryptographic Modules Testing

NVLAP currently offers accreditation for laboratories conducting testing to Federal Information Processing Standard (FIPS) 140–1 for Cryptographic Modules. This offering will be continued as part of the development of the new Information Technology Security Testing (ITST) program.

Technical Requirements for the Accreditation Process

Specific requirements and criteria address quality systems, staff, facilities and equipment, calibrations, test methods and procedures, manuals, records, and test reports. Laboratory competence will be determined through: (1) On-site assessments of the laboratory by peer assessors, (2) evaluation of background of personnel performing Common Criteria Testing, (3) review of quality and technical documentation, and (4) proficiency testing. Laboratories must meet all NVLAP criteria and requirements in order to become accredited.

Laboratories which apply for accreditation and pay all necessary fees will be required to meet proficiency testing requirements and on-site assessment requirements before initial accreditation can be granted, and will be required to meet ongoing proficiency testing requirements and periodic reassessments to retain accreditation.

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The NVLAP application is approved by the Office of Management and Budget under OMB Control No. 0693–0003.

Dated: July 6, 1999.

Karen H. Brown,

Deputy Director.

[FR Doc. 99–17661 Filed 7–9–99; 8:45 am]

BILLING CODE 3510–13–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 061199A]

Incidental Take of Marine Mammals; Taking of Marine Mammals Incidental to Power Plant Operations

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

ACTION: Notice of issuance of a letter of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act