

**DEPARTMENT OF COMMERCE****International Trade Administration**

(A-588-837)

**Notice of Court Decision: Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, From Japan**

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

**ACTION:** Notice.

**SUMMARY:** In a suit challenging the Department of Commerce's antidumping duty investigation of large newspaper printing presses and components thereof, whether assembled or unassembled, from Japan, the Court of International Trade has affirmed the Department of Commerce's remand determination and entered final judgment. See *Mitsubishi Heavy Industries, Ltd., et al., v. United States*, Consol. Court No. 96-10-02292, Slip Op. 00-45 (CIT April 26, 2000). This decision was not in harmony with the Department of Commerce's original final determination. As a result, the revised antidumping duty margin for Mitsubishi Heavy Industries, Ltd. is 59.67 percent. The revised antidumping duty margin for Tokyo Kikai Seisakusho, Ltd., is 51.97 percent. The revised "All Others" rate is 55.05 percent.

Consistent with the decision of the Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department of Commerce will direct the Customs Service to change the cash deposit rate being used in connection with the suspension of liquidation of the subject merchandise once there is a "final and conclusive" decision in this case.

**EFFECTIVE DATE:** May 19, 2000.

**FOR FURTHER INFORMATION CONTACT:** Irene Darzenta Tzafolias at (202) 482-0922, or David J. Goldberger at (202) 482-4136, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

**SUPPLEMENTARY INFORMATION:****Background**

On July 23, 1996, the Department of Commerce (the Department) published notice of its final determination of the less-than-fair-value (LTFV) investigation of large newspaper printing presses and components thereof, whether assembled

or unassembled (LNPP), from Japan. See *Notice of Final Determination of Sales at Less Than Fair Value: Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan*, 61 FR 38139 (July 23, 1996). In the final determination of the LTFV investigation, the Department established a final dumping margin of 62.96 percent ad valorem for Mitsubishi Heavy Industries, Ltd. (MHI), 56.28 percent ad valorem for Tokyo Kikai Seisakusho, Ltd., (TKS) and 58.97 percent ad valorem for "All Others." On September 4, 1996, the Department published an antidumping duty order correcting ministerial errors made in the final determination and instructing the Customs Service to collect cash deposits at the rate of 62.26 percent ad valorem for MHI, 56.28 percent ad valorem for TKS, and 58.69 percent ad valorem for "All Others." See *Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan*, 61 FR 46621 (September 4, 1996).

Following publication of the Department's antidumping duty order, respondents MHI and TKS and the petitioner, Goss Graphic System, Inc., filed a lawsuit with the Court of International Trade (CIT) challenging various aspects of the Department's final determination of the LTFV investigation. In its first decision in this case on June 23, 1998, *Mitsubishi Heavy Industries, Ltd. v. United States*, 15 F. Supp. 2d 807 (CIT 1998), the CIT issued an order remanding several issues to the Department. As part of its remand determination filed on December 21, 1998, the Department revised its calculation of certain indirect selling expenses, resulting in revised margins for the respondents. See *September 17, 1998, Final Results of Redetermination Pursuant to Court Remand* at 1-4. In *Mitsubishi Heavy Industries, v. United States*, 54 F. Supp. 2d 1183 (CIT 1999), the CIT ordered a second remand determination in order for the Department to further explain its foreign like product determination. No additional recalculations were required in the Department's second redetermination, and the CIT has now affirmed the redetermination and issued final judgment.

As a result, the revised antidumping duty margin for MHI is 59.67 percent. The revised antidumping duty margin for TKS is 51.97 percent. The revised "All Others" rate is 55.05 percent.

**Suspension of Liquidation**

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Court of Appeals for the Federal Circuit (CAFC) held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. Publication of this notice fulfills this obligation. The CAFC also held that the Department must suspend liquidation of the subject merchandise until there is a "final and conclusive" decision on the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation of the subject merchandise pending the expiration of the period to appeal the CIT's April 26, 2000 ruling, or if that ruling is appealed, pending a final decision by the CAFC. However, because entries of the subject merchandise continue to be suspended pursuant to the antidumping duty order in effect (the Department is conducting an administrative review for the 1998-1999 period), the Department need not send additional instructions to the Customs Service to suspend liquidation. Further, consistent with *Timken*, the Department will order the Customs Service to change the relevant cash deposit rates in the event that the CIT's ruling is not appealed or the CAFC issues a final decision affirming the CIT's ruling.

Dated: May 12, 2000.

**Troy H. Cribb,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 00-12677 Filed 5-18-00; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****National Institute of Standards and Technology****Announcement of a Public Workshop Regarding a Proposed Memorandum of Understanding Between the National Institute of Standards and Technology and the National Cooperation for Laboratory Accreditation**

**AGENCY:** National Institute of Standards and Technology.

**ACTION:** Notice of public meeting.

**SUMMARY:** The National Institute of Standards and Technology (NISTO) invites interested parties to attend a public workshop regarding a proposed Memorandum of Understanding (MOU) between NIST and the National Cooperation for Laboratory Accreditation (NACLA). The workshop will include a brief presentation on the

components of the MOU, and an opportunity for discussion.

The purpose of the proposed MOU is to develop and maintain a system in the United States that will (a) recognize competent laboratory accreditation bodies to accredit testing and calibration laboratories when the services of such laboratories are required to demonstrate compliance with procurement and regulatory requirements of government at Federal, state or local levels, and to meet the needs of the private sector; (b) promote the use by government and the private sector of such accreditation bodies; and, (c) recognize competent laboratory accreditation bodies to carry out designated activities under government-to-government agreements on the mutual recognition of conformity assessment activities in support of NIST's role as a designating authority under those agreements.

The proposed MOU with NACLA will support a key goal of the National Technology Transfer and Advancement Act of 1995 (NTTAA) by reducing redundancy and complexity in the development and promulgation of conformity assessment requirements and measures by government at all levels. The draft MOU will be posted on the NIST website at <http://www.ts.nist.gov> by June 1st. Copies of the draft MOU may also be requested from NIST. Interested parties are invited to submit comments to NIST at any time before the workshop. There is no charge to attend the workshop.

**DATES:** The workshop will be held on June 23, 2000, from 10 a.m. to 12 p.m.

**ADDRESSES:** The workshop will be held at The National Institute Standards and Technology, Administration Building, Lecture Room A, 100 Bureau Drive, Gaithersburg, MD 20899. Comments on the proposed MOU should be sent to the attention of "NACLA Comments" at the Office of the Director, Technology Services, National Institute of Standards and Technology, Mail Stop 2000, Gaithersburg, MD 20899-2000.

**FOR FURTHER INFORMATION CONTACT:** For further information, you may telephone 301-975-2396 or e-mail: [mary.saunders@nist.gov](mailto:mary.saunders@nist.gov).

**SUPPLEMENTARY INFORMATION:** The National Technology Transfer and Advancement Act of 1995 (PL 104-113, 1996) directs NIST to coordinate Federal, state and local conformity assessment activities with the private sector with the goal of eliminating unnecessary duplication and complexity in the development and promulgation of conformity assessment requirements and measures. NIST focused on coordination of laboratory

accreditation as a key element of conformity assessment in the Implementation Plan it provided to Congress. NIST believes that a proposed MOU with NACLA supports an important goal of the NTTAA, to reduce redundancy and complexity in the development and promulgation of conformity assessment requirements and measures by government at all levels. The MOU will also improve coordination and communication between and within the private and public sectors on conformity assessment requirements and practices.

The purpose of the MOU will be to develop and maintain a system in the United States that will (a) recognize competent laboratory accreditation bodies to accredit testing calibration laboratories when the services of such laboratories are required to demonstrate compliance with procurement and regulatory requirements of government at Federal, state or local levels; (b) promote the use by government and the private sector of such accreditation bodies; and, (c) recognize competent laboratory accreditation bodies to carry out designated activities under government-to-government agreements on the mutual recognition of conformity assessment activities in support of NIST's role as a designating authority under those agreements.

A brief presentation on the MOU will be made at the workshop. After the presentation there will be an opportunity for public discussion. Written comments may be submitted to NIST at any time prior to the workshop. There is no attendance fee.

**Raymond G. Kammer,**  
*Director.*

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**BILLING CODE 3510-13-M**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. 000404094-0094-01]

**RIN 0648-ZA84**

### Improved Methods for Ballast Water Treatment and Management and Prevention of Small Boat Transport of Invasive Species: Request for Proposals for FY 2000

**AGENCIES:** National Sea Grant College Program, National Oceanic and Atmospheric Administration,

Department of Commerce and Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of request for proposals.

**SUMMARY:** The purpose of this notice is to advise the public that the National Sea Grant College Program (Sea Grant) and the U.S. Fish and Wildlife Service (Service) are entertaining proposals to participate in innovative research, outreach, and demonstration projects that address the problems of aquatic invasive species in U.S. waters. In FY 2000 only, Sea Grant expects to make available about \$700,000, and the Service \$300,000, to support projects to improve ballast water treatment and management in the Chesapeake Bay and the Great Lakes in particular (Sea Grant), and in U.S. coastal and Great Lakes waters in general (Service). Also in FY 2000 only, Sea Grant expects to make available about \$40,000 to support projects to reduce the transport of invasive species by small boats in the Lake Champlain Basin.

**DATES:** Proposals must be submitted before 5 p.m. EST on June 19, 2000.

**ADDRESSES:** Proposals must be submitted to the National Sea Grant Office at: National Sea Grant College Program, R/SG, Attn: Invasive Species Competition, Room 11841, NOAA, 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** Leon M. Cammen, Invasive Species Coordinator, National Sea Grant College Program, R/SG, NOAA, 1315 East-West Highway, Silver Spring, MD 20910, or Mary Robinson, Secretary, National Sea Grant Office, 301-713-2435; facsimile 301-713-0799; or Sharon Gross, U.S. Fish and Wildlife Service, 703-358-1718; facsimile 703-358-2044.

## SUPPLEMENTARY INFORMATION:

### I. Program Authority

**Authority:** 16 U.S.C. 4701 *et seq.*; 33 U.S.C. 1121-1131.

Catalog of Federal Assistance Number: 11.417, Sea Grant Support; 15.FFA, Fish and Wildlife Management Assistance.

### II. Program Description

#### Background

Nonindigenous species introductions are increasing in frequency and causing substantial damage to the Nation's environment and economy. Although the most prominent of these introductions in the aquatic environment has been the zebra mussel, many other nonindigenous species have been introduced and have truly become