

of the Department's regulations. As part of the case brief, parties are encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Rebuttal briefs, which must be limited to issues raised in the case briefs, must be filed within five days after the case brief is filed. If a hearing is held, an interested party may make an affirmative presentation only on arguments included in that party's case brief and may make a rebuttal presentation only on arguments included in that party's rebuttal brief. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) 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.

These preliminary results of review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: April 12, 2001.

Bernard T. Carreau,
Deputy Assistant Secretary, Import Administration.

[FR Doc. 01-9100 Filed 4-11-01; 8:45 am]

BILLING CODE 3510-DS-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D.033001A]

Endangered and Threatened Species; Take of Anadromous Fish

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

ACTION: Notice of availability and request for comment.

SUMMARY: The Northwest Indian Fisheries Commission submitted a Tribal Resource Management Plan (Tribal Plan), presented by the Bureau of Indian Affairs on behalf of the Northwest Indian Tribes, pursuant to the protective regulations promulgated

for Puget Sound chinook salmon under the Endangered Species Act (ESA). The Tribal Plan describes research and assessment activities that may affect listed Puget Sound chinook salmon. This document serves to notify the public of the availability for comment of the proposed evaluation of the Secretary of Commerce (Secretary) as to how the Tribal Plan addresses the criteria in the ESA.

DATES: Written comments on the Secretary's proposed evaluation must be received at the appropriate address or fax number (see **ADDRESSES**) no later than 5 p.m. Pacific Standard Time on May 14, 2001.

ADDRESSES: Written comments and requests for copies of the proposed evaluation should be addressed to Leslie Schaeffer, Protected Resources Division, National Marine Fisheries Service, 525 NE Oregon Street, Portland, OR 97232-2737. Comments may also be sent via fax to 503/230-5435. Comments will not be accepted if submitted via e-mail or the Internet.

FOR FURTHER INFORMATION CONTACT: Leslie Schaeffer at phone number: 503/230-5433, or e-mail: leslie.schaeffer@noaa.gov.

SUPPLEMENTARY INFORMATION: This notice is relevant to the Puget Sound chinook salmon (*Oncorhynchus tshawytscha*) Evolutionarily Significant Unit (ESU).

Background

The Northwest Indian Fisheries Commission submitted a Tribal Plan, presented by the Bureau of Indian Affairs on behalf of the Northwest Indian Tribes, for scientific research and assessment activities within the range of the Puget Sound chinook salmon ESU. The Northwest Indian Tribes conduct, independently and in cooperation with other agencies, a variety of research and assessment projects. These projects provide the technical basis for fishery management and the conservation and restoration of salmon stocks and their habitat. The need for improved and more quantitative understanding of freshwater and early marine survival drives much of the current research. The Tribal Plan includes implementation, monitoring, and evaluation procedures designed to ensure the research is consistent with these objectives. The research activities described in the Tribal Plan span a 5-year period beginning on January 1, 2001.

As required by 50 CFR 223.209, the Secretary must determine whether the Tribal Plan for Puget Sound chinook salmon would appreciably reduce the likelihood of survival and recovery of

the Puget Sound chinook salmon and other affected threatened ESUs. The Secretary must take comments on how the Tribal Plan addresses the criteria in § 223.209 in making that determination. Authority

Under section 4 of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of the species listed as threatened. The ESA Tribal 4(d) rule (65 FR 42481, July 10, 2000) states that the ESA section 9 take prohibitions will not apply to Tribal Plans that will not appreciably reduce the likelihood of survival and recovery for the listed species.

Dated: April 6, 2001.

Phil Williams,

Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 01-9105 Filed 4-11-01; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 040501E]

Marine Mammals; File No. 1000-1617

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

ACTION: Receipt of application.

SUMMARY: Notice is hereby given that Whitlow Au, Ph.D., University of Hawaii, Hawaii Institute of Marine Biology, Marine Mammal Research Program, PO Box 1106, Kailua, Hawaii 96734, has applied in due form for a permit to take several species of small cetaceans for scientific research off the coasts of Hawaii and California and in international waters.

DATES: Written or telefaxed comments must be received on or before May 14, 2001.

ADDRESSES: The application and related documents are available for review upon written request or by appointment in the following office(s):

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301) 713-2289;

Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562) 980-4001; fax (562) 980-4018; and

Pacific Islands Area Office, NMFS, 2570 Dole Street, Room 106, Honolulu,

HI 96822-2396; phone (808) 943-1221; fax (808) 943-1240.

FOR FURTHER INFORMATION CONTACT: Lynne Barre or Trevor Spradlin, (301) 713-2289.

SUPPLEMENTARY INFORMATION: The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The overall objective of the proposed research is to determine aspects of the population dynamics and behavior of small cetaceans around Hawaii and California, focusing on the spinner dolphin (*Stenella longirostris*) as a model. The applicant is requesting authorization for genetic sampling and suction-cup tagging to investigate population structure, genetic variability, dispersal patterns, social structure, foraging behavior, and diving behavior. Tissue samples for genetic analyses will be obtained by skin-swabbing techniques, or if this technique does not yield sufficient amounts of DNA, by biopsy sampling. The applicant is also requesting authorization to conduct behavioral observations and photo identification to supplement genetic and tagging data. The permit is requested for five years.

The applicant is requesting authorization to take spinner dolphins (*Stenella longirostris*) both in the Eastern Tropical Pacific (ETP) and in other Pacific waters. For the ETP, the applicant is requesting the following number of animals to be taken annually: 300 for behavioral observations and photo identification; 3 for suction cup tagging; and 50 for tissue sampling. The applicant also requests annual takes of 300 animals incidental to suction tagging, 300 animals incidental to tissue sampling and 300 animals incidental to behavioral observations and photo identification.

Outside the ETP, the applicant is requesting the following number of spinner dolphins to be taken annually: 2000 for behavioral observations and photo identification; 15 for suction cup tagging; and 150 for tissue sampling. The applicant also requests annual takes of 400 animals incidental to suction tagging, 1000 animals incidental to tissue sampling and an unlimited number of animals incidental to behavioral observations and photo identification.

The applicant is also requesting authorization to take the following species of small cetaceans: short-finned pilot whale (*Globicephala*

macrorhynchus), melon-headed whale (*Peponocephala electra*), false killer whale (*Pseudorca crassidens*), pygmy killer whale (*Feresa attenuata*), pantropical spotted dolphin (*Stenella attenuata*), striped dolphin (*Stenella coeruleoalba*), short-beaked common dolphin (*Delphinus delphis*), Risso's dolphin (*Grampus griseus*), rough-toothed dolphin (*Steno bredanensis*), bottlenose dolphin (*Tursiops spp.*), Pacific white-sided dolphin (*Lagenorhynchus obliquidens*), dwarf sperm whale (*Kogia simus*), and pygmy sperm whale (*Kogia breviceps*).

For each species listed above, the applicant is requesting the following number of animals to be taken annually: 300 for behavioral observations and photo identification; 3 for suction cup tagging; and 50 for tissue sampling. The applicant also requests annual takes of 400 animals incidental to suction tagging, 1000 animals incidental to tissue sampling and an unlimited number of animals incidental to behavioral observations and photo identification.

The applicant is currently conducting bioacoustic and behavioral research on spinner dolphins, spotted dolphins, bottlenose dolphins, pilot whales and rough-toothed dolphins pursuant to General Authorization Letter of Confirmation No. 707-1478, and has requested that these activities be incorporated into the requested permit if issued.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Written comments or requests for a public hearing on this application should be mailed to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular request would be appropriate.

Comments may also be submitted by facsimile at (301) 713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or by other electronic media.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal

Commission and its Committee of Scientific Advisors.

Dated: April 6, 2001.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 01-9103 Filed 4-11-01; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 000526158-1016-02]

RIN 0648-XA52

Guidelines for Research, Exploration and Salvage of *RMS Titanic*

AGENCY: National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Response to comments; final guidelines.

SUMMARY: These final guidelines have been developed for future research on, exploration of, and if appropriate, salvage of *RMS Titanic*. As directed by the *RMS Titanic* Maritime Memorial Act of 1986 (Act), the guidelines were developed in consultation with the United Kingdom, France, Canada and others. The broad and diverse public interest in *RMS Titanic* was also considered in developing the guidelines. While the guidelines set forth a preferred policy of *in-situ* preservation of *RMS Titanic*, they also set forth the parameters for the research, recovery and conservation of *RMS Titanic* artifacts for the benefit of the public.

DATES: These guidelines are effective April 12, 2001.

ADDRESSES: The final guidelines will be available at the following address: NOAA, 1315 East-West Highway, SSMC III, Silver Spring, MD 20910; attention *RMS Titanic* guidelines.

FOR FURTHER INFORMATION CONTACT: CDR Craig McLean, (301) 713-2427 ext. 132.

SUPPLEMENTARY INFORMATION: These final guidelines are issued under the authority of the *RMS Titanic* Maritime Memorial Act of 1986 (Act). Section 5(a) of the Act directs the National Oceanic and Atmospheric Administration (NOAA) to enter into consultations with the United Kingdom, France, Canada and others to develop international guidelines for research on, exploration of, and if appropriate, salvage of *RMS Titanic*. The guidelines are to (1) be consistent with the national and