

Ta Chen challenged certain aspects of the Department's *Final Results*. On October 28, 1999, the CIT remanded the *Final Results* to the Department on two issues: (1) To give a Ta Chen an opportunity to submit information on Sun Stainless, Inc.'s ("Sun") U.S. sales; and (2) to give Ta Chen an opportunity to submit evidence on any sales to Company C that were made during the POR and on which commissions were paid to Anderson Alloys ("Anderson"). See *Ta Chen Stainless Steel Pipe, Ltd. v. United States*, NO. 97-08-01344 1999 Ct. Int's Trade LEXIS 110 (CIT 1999). On February 25, 2000, we provided the CIT with our final results of redetermination pursuant to court remand. See *Final Results of Redetermination Pursuant to Court Remand: Ta Chen Stainless Steel Pipe, Ltd. v. United States*, Court No. 97-08-01344 ("Remand Results"). In the remand redetermination the Department determined: (1) An adverse inference was appropriate for the Sun sales, and assigned the highest calculated margin calculated in the final remand results to Ta Chen's sales to Sun; and (2) not to apply our facts available methodology to the Anderson sales based on Ta Chen's statement that it paid no commissions to Anderson on Company C sales. Upon review, the CIT sustained our *Remand Results*. See *Ta Chen Stainless Steel Pipe, Inc. v. United States*, No. 97-08-01344, Slip Op. 2000-107 (CIT 2000). Ta Chen appealed the CIT's judgment with respect to the application of adverse facts available to Ta Chen's sales to Sun. On August 1, 2002, the CAFC affirmed the CIT's decision. See *Ta Chen Stainless Steel Pipe, Inc. v. United States*, 298 F.3d 1330 (Fed. Cir. 2002).

On January 6, 2003, Ta Chen submitted an application to the Chief Justice of the U.S. Supreme Court for an extension of time to file a petition for a writ of certiorari. The Chief Justice extended the time to file until the requested new deadline of January 18, 2003. Because the deadline occurred on Saturday, Ta Chen filed the petition for writ of certiorari January 21, 2003. On February 28, 2003, an order was given extending the response time to file comments responding to the petition until April 7, 2003. On April 7, 2003, Ta Chen filed an opposition brief. On May 29, 2003, the Supreme Court denied the petition filed by Ta Chen.

There is a final and conclusive court decision in this case. We are amending our final results of review for the period December 1, 1994 through November 30, 1995, and we will instruct the Customs Service to liquidate entries subject to this review.

The revised weighted-average percentage margin is as follows:

Manufacturer/exporter	Margin (percent)
Ta Chen	2.60

Accordingly, the Department will determine, and the Customs Service will assess, antidumping duties on all appropriate entries of subject merchandise in accordance with these amended final results. For assessment purposes, we have calculated importer-specific duty assessment rates on the ratio of the total amount of antidumping duties calculated for the examined sales to the total value of sales examined for such importer. The Department will issue appraisal instructions to the Customs Service after publication of this amended final results of review.

This notice is published in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(1)) and 19 CFR 351.211.

Dated: June 6, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[Docket No. 030529137-3137-01]

International Buyer Program Support for Domestic Trade Shows

AGENCY: International Trade Administration, Commerce.

ACTION: Notice and call for applications for the FY 2005 International Buyer Program.

SUMMARY: This notice sets forth objectives, procedures and application review criteria associated with the International Buyer Program (IBP) of the U.S. Department of Commerce (DOC), to support domestic trade shows. Selection is for the International Buyer Program for Fiscal Year 2005 (October 1, 2004 through September 30, 2005).

The IBP was established to bring international buyers together with U.S. firms by promoting leading U.S. trade shows in industries with high export potential. The IBP emphasizes cooperation between the DOC and trade show organizers to benefit U.S. firms exhibiting at selected events and provides practical, hands-on assistance such as export counseling and market analysis to U.S. companies interested in exporting. The assistance provided to

show organizers includes worldwide overseas promotion of selected shows to potential international buyers, end-users, representatives and distributors. The worldwide promotion is executed through the offices of the DOC United States and Foreign Commercial Service (hereinafter referred to as the Commercial Service) in 74 countries representing America's major trading partners, and also in U.S. Embassies in countries where the Commercial Service does not maintain offices. The Department expects to select approximately 32 shows for FY2005 from among applicants to the program. Shows selected for the IBP will provide a venue for U.S. companies interested in expanding their sales into international markets.

DATES: Applications must be received by August 12, 2003. Contributions (discussed below) are for shows selected and promoted during the period between October 1, 2004, and September 30, 2005.

ADDRESSES: Export Promotion Services/ International Buyer Program, Commercial Service, International Trade Administration, U.S. Department of Commerce, 14th & Constitution Avenue, NW., H2107, Washington, DC 20230. Telephone: (202) 482-0481 (For deadline purposes, facsimile or email applications will be accepted as interim applications, to be followed by signed original applications).

FOR FURTHER INFORMATION CONTACT: Jim Boney, Product Manager, International Buyer Program, Room 2107, Export Promotion Services, U.S. and Foreign Commercial Service, International Trade Administration, U.S. Department of Commerce, 14th & Constitution Avenue, NW., Washington, DC 20230. Telephone: (202) 482-0146; Fax: (202) 482-0115; E-mail:

Jim.Boney@mail.doc.gov.

SUPPLEMENTARY INFORMATION: The Commercial Service is accepting applications for the International Buyer Program (IBP) for events taking place between October 1, 2004, and September 30, 2005. A contribution of \$8,000 for shows of five days or less is required. For shows more than five days in duration, or requiring more than one International Business Center, a contribution of \$10,000 is required.

Under the IBP, the Commercial Service seeks to bring together international buyers with U.S. firms by selecting and promoting, in international markets, U.S. domestic trade shows covering industries with high export potential. Selection of a trade show for the IBP is valid for one event, *i.e.*, a trade show organizer

seeking selection for a recurring event must submit a new IBP application to be considered for each occurrence of the event. Even if the event occurs more than once in the 12-month period covering this announcement, the trade show organizer must submit a separate application for each event.

The Commercial Service will select approximately 32 events to support between October 1, 2004, through September 30, 2005. The Commercial Service will select those events that, in its judgment, most clearly meet the Commercial Service's statutory mandate to promote U.S. exports, especially those of small and medium size enterprises and that best meet the selection criteria articulated below.

Successful show organizer applicants will be required to enter into a Memorandum of Understanding (MoU) with the DOC. The MoU constitutes an agreement between the DOC and the show organizer specifying which responsibilities are to be undertaken by DOC as part of the IBP and, in turn, which responsibilities are to be undertaken by the show organizer. Anyone who requests information regarding applying will be sent a copy of the MoU along with the application package. The responsibilities to be undertaken by DOC will be carried out by the Commercial Service.

The Department selects trade shows to be IBP partners that it determines to be leading international trade shows appropriate for participation by U.S. exporting firms and for promotion in overseas markets by U.S. Embassies and Consulates. Selection as an IBP partner does not constitute a guarantee by the U.S. Government of the show's success. IBP partnership status is not an endorsement of the show organizer except as to its international buyer activities. Non-selection should not be viewed as a finding that the event will not be successful in the promotion of U.S. exports.

Exclusions: Trade shows that are either first-time or horizontal (non-industry specific) events will not be considered.

General Selection Criteria: The Department will select shows to be IBP partners that, in the judgment of the Department, best meet the following criteria:

(a) **Export Potential:** The trade show promotes products and services from U.S. industries that have high export potential, as determined by DOC sources, e.g., Commercial Service best prospects lists and U.S. export statistics (certain industries are rated as priorities by our domestic and international

commercial officers in their Country Commercial Guides).

(b) **International Interest:** The trade show meets the needs of a significant number of overseas markets and corresponds to marketing opportunities as identified by the posts in their Country Commercial Guides (e.g., best prospect lists). Previous international attendance at the show may be used as an indicator.

(c) **U.S. Content of Show Exhibitors:** Trade shows with exhibitors featuring a high percentage of U.S. products or products with a high degree of U.S. content will be preferred. To be considered "U.S.," products and services to be exhibited must be produced or manufactured in the U.S., or if produced or manufactured outside of the U.S., the products or services must contain more than 50% U.S. content and must be marketed under the name of a U.S. firm.

(d) **Stature of the show:** The trade show is clearly recognized by the industry it covers as a leading event for the promotion of that industry's products and services, both domestically and internationally, and as a showplace for the latest technology or services in that industry or sector.

(e) **Exhibitor Interest:** There is demonstrated interest on the part of U.S. exhibitors in receiving international business visitors during the trade show. A significant number of U.S. exhibitors should be new-to-export or seeking to expand sales into additional international markets.

(f) **Overseas Marketing:** There has been a demonstrated effort to market prior shows overseas. In addition, the applicant should describe in detail the international marketing program to be conducted for the event, explaining how efforts should increase individual and group international attendance. Planned cooperation with Visit USA Committees overseas is desirable.

(g) **Logistics:** The trade show site, facilities, transportation services, and availability of accommodations are in the stature of an international-class trade show.

(h) **Cooperation:** The applicant demonstrates a willingness to cooperate with the Commercial Service to fulfill the program's goals and to adhere to target dates set out in the MoU and the event timetable, both of which are available from the program office (see **FOR FURTHER INFORMATION** section above on when, where, and how to apply). Past experience in the IBP will be taken into account in evaluating current applications to the program.

Legal Authority: The Commercial Service has the legal authority to enter

into MoUs with for-profit show organizers and other groups (partners) under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 ((MECEA), as amended (22 U.S.C. Section 2455(f)) MECEA allows the Commercial Service to accept contribution of funds and services from firms for the purposes of furthering its mission. The statutory program authority for the Commercial Service to conduct the International Buyer Program is 15 U.S.C. 4724.

The Office of Management and Budget (OMB) has approved the information collection requirements of the application to this program under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3512 *et seq.*) (OMB Control No. 0625-0151). 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.

Don Huber,

Acting Director, Office of Trade Event Programs, U.S. and Foreign Commercial Service, International Trade Administration, Department of Commerce.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 060503C]

Taking of Marine Mammals Incidental to Commercial Fishing Operations; Atlantic Large Whale Take Reduction Plan (ALWTRP)

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

ACTION: Notice of voluntary restrictions on anchored gillnet and lobster trap/pot fishing gear.

SUMMARY: The Assistant Administrator for Fisheries (AA), NOAA, requests that lobster trap/pot and anchored gillnet fishermen remove their gear on a voluntary basis from an area totaling approximately 1,265 square nautical miles (nm²) (4,339 km²), east of Cape Ann, MA for 15 days. Fishermen are also asked not to set additional gear during this period. The purpose of this action is to provide protection to an