

of *Sunset Review*, 71 FR 64927 (November 6, 2006).

On January 24, 2007, the Court of International Trade (CIT) issued its decision in *Tokyo Kikai Seisakusho, Ltd. v. United States*, 473 F. Supp. 2d 1349, 1364 (Ct. Int'l Trade 2007), and ordered the Department to "discontinue any action in regard to a reconsideration" of the sunset review. In accordance with that decision, the Department discontinued action with respect to its reconsideration of the sunset review. See *Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan: Discontinuation of Reconsideration of Sunset Review*, 72 FR 9730 (March 5, 2007).

On June 17, 2008, the Court of Appeals for the Federal Circuit (CAFC) reversed the CIT's decision directing the Department to discontinue its sunset review reconsideration. The CAFC held that the issue was not ripe for judicial review and that the CIT erred in finding that the Department's stated intention to reopen the sunset review proceeding (in the context of the changed circumstances review final results) was final agency action. See *Tokyo Kikai Seisakusho, Ltd. v. United States*, 529 F.3d 1352 (Fed. Cir. 2008). Accordingly, the Department is resuming its reconsideration of the sunset review.

Prior to the CIT's discontinuation order issued on January 24, 2007, the final results of this review were due by March 9, 2007, or 45 days from that date. The Department was advised by the Department of Justice on September 22, 2008, that it may resume this review. Accordingly, the Department intends to issue its final results for this review no later than 45 days following its resumption of the review, *i.e.*, by November 6, 2008.

Dated: September 25, 2008.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN: 0648-XK70

#### Western Pacific Fishery Management Council; Public Meetings; Correction

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

**ACTION:** Notice of public meetings and hearings.

**SUMMARY:** The Western Pacific Fishery Management Council (Council) will hold its 143rd meeting to consider and take actions on fishery management issues in the Western Pacific Region. The original notice published in the **Federal Register** on September 23, 2008 and this notice revises the agenda and is being republished in its entirety.

**DATES:** The 143rd Council meeting and public hearings will be held on October 14-17, 2008, in Honolulu, HI. For specific times and the agenda, see **SUPPLEMENTARY INFORMATION.**

**ADDRESSES:** The 143rd Council meeting and public hearings will be held at the Pagoda Hotel, 1525 Rycroft Street, Honolulu, HI 96814; telephone: (808) 941-6611.

**FOR FURTHER INFORMATION CONTACT:** Kitty M. Simonds, Executive Director; telephone: (808) 522-8220.

**SUPPLEMENTARY INFORMATION:** The original meeting notice published in the **Federal Register** on September 23, 2008 (73 FR 54791).

In addition to the agenda items listed here, the Council will hear recommendations from other Council advisory groups. Public comment periods will be provided throughout the agenda. The order in which agenda items are addressed may change. The Council will meet as late as necessary to complete scheduled business.

#### Schedule and Agenda for Council Standing Committee Meetings

*Tuesday, October 14, 2008*

##### Standing Committee Meeting

1. 8 a.m. - 10 a.m. Executive and Budget Standing Committee
2. 10 a.m. - 12 noon Program Planning Standing Committee
3. 1:30 p.m. - 2:30 p.m. Fishery Rights of Indigenous People Standing Committee
4. 2:30 p.m. - 4:30 p.m. Pelagics Ecosystem and International Fisheries Standing Committee
5. 4:30 p.m. - 6:30 p.m. Hawaii Archipelago/Pacific Remote Island Areas (PRIA) Standing Committee

The agenda during the full Council meeting will include the items listed here.

#### Schedule and Agenda for Council Meeting

*9 a.m. - 5:30 p.m. Wednesday, October 15, 2008*

1. Introductions
2. New Council Members Oath of Office

3. Approval of Agenda
  4. Approval of 142nd Meeting Minutes
  5. Agency Reports
    - A. National Marine Fisheries Service (NMFS)
      1. Pacific Islands Regional Office (PIRO)
      2. Pacific Islands Fisheries Science Center (PIFSC)
        - B. NOAA General Counsel
        - C. U.S. Fish and Wildlife Service
        - D. Enforcement
          1. U.S. Coast Guard
          2. NOAA Office for Law Enforcement
        3. Status of Violations
        6. Program Planning
          - A. Program Planning and Research
            1. Recommendation on Measures for Annual Catch Limits for Western Pacific Fish Stocks (ACTION ITEM)
            2. Small-scale and Traditional Fisheries
              3. Approval of Council's Five-Year Research Plan
                - B. Update on Marine Recreational Information Program (MRIP) and National Saltwater Angler Registry
                - C. National Eco-labeling Initiative
                - D. Update on Legislation
                - E. Update on Status of Fishery Management Plan (FMP) actions
                - F. Community Development Program Amendment Status
                  - G. Coral Reefs
                    1. Report on U.S. Coral Reef Task Force Meeting
                    2. Coral Reef Program Review
                  - H. Marine Education and Training Program Selection Process
                  - I. Marine Conservation Area Assessment
                    - J. National Standard 2 Review
                    - K. Social Science Research Planning Committee Report
                    - L. Scientific and Statistical Committee (SSC) Recommendations
                    - M. Standing Committee Recommendations
                      - N. Public Hearing
                      - O. Council Discussion and Action
                    7. Public Comment on Non-agenda Items
- 6 p.m.—9 p.m. Wednesday, October 15, 2008*
- Fishers Forum
- I. Welcome and Introductions
  - II. Richard Shiroma Award Presentation
    - III. Assessing Historical Changes in the Hawaii Bottomfish Fishery and their Effect on Calculating Catch Per Unit Effort (CPUE)
    - IV. 2008 Hawaii Bottomfish Stock Assessment
      - V. Alternatives for Bottomfish Total Allowable Catch (TAC)
      - VI. Public Hearing

9 a.m. - 6 p.m. Thursday, October 16, 2008

- 8. Hawaii Archipelago and PRIA
    - A. Moku PebaB. Enforcement Issues
    - C. Hawaii Community Issues
      - 1. Humpback Whale Sanctuary Update
      - 2. Monk Seal Critical Habitat in the Main Hawaiian Islands (MHI)
      - 3. West Hawaii Fisheries Council
      - 4. Aha Kiole Community Consultation Process
      - 5. Green Sea Turtle Biological and Genetic Information/Classification as Distinct Population Segment
      - 6. Other Issues
        - D. Main Hawaiian Islands Bottomfish
          - 1. CPUE Workshop Report
          - 2. Stock Assessment
          - 3. Recommendation on Total Allowable Catch for 2008/2009 Fishing Season (ACTION ITEM)
            - E. Aquaculture Issues
              - 1. Development of Projects in Hawaii
              - 2. Expansion of Current Aquaculture Projects on Oahu
                - F. Coral Reef Annual Report Status
                - G. Education and Outreach Initiatives
                - H. Hawaii Regional Ecosystem Advisory Committee (REAC) Report
                  - I. SSC Recommendations
                  - J. Standing Committee Recommendations
                    - K. Public Hearing
                    - L. Council Discussion and Action
  - 9. Marianas Archipelago
    - A. Arongol Faleey and Isla Informe
      - 1. Commonwealth of the Northern Marianas Islands (CNMI)
        - 2. Guam
          - B. Enforcement Issues
            - 1. CNMI
            - 2. Guam
          - C. Marianas Community Issues
            - 1. Marianas Training Range Complex
            - 2. Lunar Calendar Workshop
            - 3. Report on Guam Mayors' Meeting
            - 4. Report on Guam Village Meetings
            - 5. Guam Indigenous Fishing Rights
10. American Samoa Archipelago
  - A. Motu Lipoti
  - B. Enforcement Issues
  - C. American Samoa Community Issues

- 1. American Samoa Fishery Development
- 2. Sale of Tuna Cannery
- 3. Rose Atoll Management
- 4. Other Issues
- D. Education and Outreach Initiatives
- E. Report on American Samoa Advisory Panel Meeting
- F. Report on American Samoa Plan Team Meeting
  - G. SSC Recommendations
  - H. Public Comment
  - I. Council Discussion and Action

9 a.m. - 5 p.m. Friday, October 17, 2008

- 11. Pelagic & International Fisheries
  - A. Pelagics Ecosystem
    - 1. Hawaii Shallow-set Longline Fishery Management
      - a. NMFS Biological Opinion
      - b. Draft Supplemental Environmental Impact Statement (DSEIS) Public Comments
        - c. Recommendation on Management Measures for Hawaii Shallow-set Longline Fishery (ACTION ITEM)
          - 2. Recommendation on Management Measures for Fishing on Fish Aggregating Devices(FAD)in the US EEZ of the Western Pacific Region (ACTION ITEM)
            - 3. American Samoa Longline Fishery Management
              - a. Recommendation on Management Measures to Minimize Turtle Interactions (ACTION ITEM)
              - b. Report of Public Meetings
              - c. NMFS Biological Opinion
              - 4. Pelagics Fishery Management Plan Vessel Marking Regulations (ACTION ITEM)
                - B. American Samoa and Hawaii Longline Quarterly Reports
                  - C. American Samoa Longline Logbook/Observer Data Analysis
                    - D. International Fisheries
                      - 1. Western and Central Pacific Fisheries Commission (WCPFC)
                        - a. Science Committee
                        - b. U.S. Advisory Committee
                        - c. Northern Committee
                        - d. Technical & Compliance Committee
                          - e. Update on WCPFC Rulemaking
                          - 2. Inter-American Tropical Tuna Commission (IATTC)
                          - 3. North Pacific Seamount Regional Fishery Management Organization
                            - E. SSC Recommendations
                            - F. Standing Committee Recommendations
                              - G. Public Hearing
                              - H. Council Discussion and Action
        - 12. Administrative Matters & Budget
          - A. Financial Reports
          - B. Administrative Reports
          - C. Meetings and Workshops (Calendar)
          - D. Council Family Changes

E. Standard Operating Procedures and Protocols (SOPP)

- 1. Status of NMFS SOPP Review
- 2. Report on Internal Control Review
- F. Standing Committee

Recommendations

- G. Public Comment
- H. Council Discussion and Action

13. Other Business

- A. Election of Officers
- B. Next Meeting

Although non-emergency issues not contained in this agenda may come before the Council for discussion and formal Council action during its 143rd meeting. However, Council action on regulatory issues will be restricted to those issues specifically listed in this document and any regulatory issue arising after publication of this document that requires emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 25, 2008.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2008-HA-0119]

### Proposed Collection; Comment Request

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs. DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with section 3506(c)(2)(A) of the *Paperwork Reduction Act of 1995*, the Office of the Assistant Secretary of Defense for Health Affairs announces a proposed extension of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the new collection of information is necessary