

8443.11.50, 8443.30.00, 8443.59.50, 8443.60.00, and 8443.90.50 of the HTSUS. Large newspaper printing presses may also enter under HTSUS subheadings 8443.21.00 and 8443.40.00. Large newspaper printing press computerized control systems may enter under HTSUS subheadings 8471.49.10, 8471.49.21, 8471.49.26, 8471.50.40, 8471.50.80, and 8537.10.90. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Background

On November 6, 2006, the Department published in the **Federal Register** a notice of preliminary results of the reconsideration of sunset review of the antidumping duty order on LNPP from Japan, following the requirements of section 751(c) of the Act. See *Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan: Preliminary Results of Reconsideration of Sunset Review*, 71 FR 64927 (November 6, 2006) (*Preliminary Results*). In our *Preliminary Results*, we determined that, for purposes of this reconsideration of the sunset review, had the antidumping duty order not been revoked in *Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan (A-588-837) and Germany (A-428-821): Notice of Final Results of Five-Year Sunset Reviews and Revocation of Antidumping Duty Orders*, 67 FR 8522 (February 25, 2002) (*2002 Sunset Review*), revocation of the antidumping duty order on LNPP from Japan would have likely led to continuation or recurrence of dumping with a margin of 59.67 percent for Mitsubishi Heavy Industries, Ltd. (MHI), 51.97 percent for Tokyo Kikai Seisakusho, Ltd. (TKS), and an all-others rate of 55.05 percent.

On December 6, 2006, MHI, TKS, and the domestic interested party, Goss International Corporation (known as Goss Graphics Systems Inc. during the period of the *2002 Sunset Review*) (Goss) submitted case briefs in response to the Department's preliminary results. TKS and Goss submitted rebuttal comments on December 11, 2006. We held a public hearing on December 18, 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 March 2006 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 resumed its reconsideration of the sunset review. See *Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Japan: Resumption of Reconsideration of Sunset Review*, 73 FR 57059 (October 1, 2008).

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this sunset review are addressed in the "Issues and Decision Memorandum" (Decision Memo) to David M. Spooner, Assistant Secretary for Import Administration, which is hereby adopted and incorporated by reference into this notice. Parties can find a discussion of the issues raised for the final results of this reconsideration of the sunset review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room 1117 of the main Department building. In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

Final Results of Review

We determine that, for purposes of this reconsideration of the sunset review, had the antidumping duty order not been revoked in the *2002 Sunset Review*, revocation of the antidumping duty order on LNPP from Japan would have likely led to continuation or recurrence of dumping at the following weighted-average margins:

Manufacturers/Producers/Exporters	Weighted-Average Margin (Percent)
Mitsubishi Heavy Industries, Ltd.	59.67
Tokyo Kikai Seisakusho, Ltd.	51.97
All Others	55.05

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

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

Dated: November 6, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E8-26987 Filed 11-12-08; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture from the People's Republic of China: Notice of Court Decision Not in Harmony With Final Results of Administrative Review

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

EFFECTIVE DATE: November 13, 2008.

SUMMARY: On October 10, 2008, the United States Court of International Trade ("CIT") sustained the Department of Commerce's ("Department") final results of redetermination pursuant to the Department's voluntary remand. See *Macau Youcheng Trading Co. and Zhongshan Youcheng Wooden Arts & Crafts Co., Ltd. v. United States Court No. 07-00322: Final Results of Redetermination Pursuant To Voluntary Remand*, dated October 3, 2008 ("*Youcheng v. United States*"). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results of the administrative review of the

antidumping duty order on wooden bedroom furniture (“WBF”) from the People’s Republic of China (“PRC”) covering the period of review (“POR”) of June 24, 2004, through December 31, 2005. See *Amended Final Results of Antidumping Duty Administrative Review and New Shipper Reviews: Wooden Bedroom Furniture From the People’s Republic of China*, 72 FR 46957 (August 22, 2007) (“*Final Results*”); and *Second Amended Final Results of Antidumping Duty Administrative Review: Wooden Bedroom Furniture From the People’s Republic of China*, 72 FR 62834 (November 7, 2007) (“*Amended Final Results*”).

FOR FURTHER INFORMATION CONTACT: Frances Veith, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4295.

SUPPLEMENTARY INFORMATION: On August 22, 2007, the Department published its final results in the administrative review and on November 7, 2007, it published its amended final results. See *Final Results and Amended Final Results*. In the *Final Results*, the Department denied Macau Youcheng Trading Co. and Zhongshan Youcheng Wooden Arts and Crafts Co., Ltd. (collectively “Youcheng”) a separate rate stating that Youcheng failed to demonstrate that it made a sale of subject merchandise during the POR because Youcheng did not provide proof of payment for its reported sales transaction. The Department’s determination to deny Youcheng a separate rate in the *Final Results* remained unchanged in the *Amended Final Results*.

On September 4, 2007, Youcheng filed a summons and complaint with the CIT challenging the Department’s denial of a separate rate to Youcheng. On June 19, 2008, the Department requested a voluntary remand so that the Department could further analyze the record, explain its decision, and take such action as may be appropriate pertaining to the denial of separate-rate status to Youcheng. On June 20, 2008, the CIT granted the Department’s voluntary remand motion. On August 22, 2008, we issued our draft redetermination pursuant to the remand to the interested parties for comment. On September 12, 2008, Petitioners¹ and Youcheng provided comments on the

Department’s draft redetermination results.

On October 3, 2008, the Department issued its final results of redetermination pursuant to *Youcheng v. United States*. The remand redetermination explained that, in accordance with the CIT’s instructions, the Department analyzed the record and reconsidered the *Final Results* and determined to grant separate-rate status to Youcheng. Based on this reconsideration, Youcheng’s status from the final results changed from an entity considered as part of the PRC-wide entity and subject to the PRC-wide rate to an entity eligible for separate-rate status and having a separate rate. Accordingly, Youcheng’s revised antidumping duty margin is the weighted-average margin of the mandatory respondents (*i.e.*, 35.78 percent) in the administrative review.

TIMKEN NOTICE:

In its decision in *Timken*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (“the Act”), the Department must publish a notice of a court decision that is not “in harmony” with a Department determination and must suspend liquidation of entries pending a “conclusive” court decision. See *Timken*, 893 F.2d at 341. The CIT’s decision in *Youcheng v. United States* on October 10, 2008, constitutes a final decision of that court that is not in harmony with the Department’s *Final Results* and *Amended Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the CIT’s ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties based on the weighted average of the cash deposit rates calculated for the mandatory respondents (*i.e.*, 35.78 percent) in the administrative review pursuant to section 735(c)(5)(B) of the Act.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: November 5, 2008.

David M. Spooner

Assistant Secretary for Import Administration.

[FR Doc. E8-26976 Filed 11-12-08; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Northeast Fisheries Observer Program Fishermen’s Comment Card

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before January 12, 2009.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Amy S. Van Atten, (508) 495-2266 or Amy.Van.Atten@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Marine Fisheries Service (NMFS) Northeast Fisheries Observer Program (NEFOP) is managed by the Fisheries Sampling Branch (FSB) at the Northeast Fisheries Science Center (NEFSC). NEFOP observers serve aboard commercial fishing vessels from Maine to North Carolina, as required by the Magnuson-Stevens Fishery Conservation and Management Act and the Marine Mammal Protection Act.

NMFS NEFSC is renewing its request to collect information from fishermen who have had NEFOP observers on their vessels. This information would be collected on a voluntary basis as a qualitative survey to provide NMFS with direct feedback on an observer’s performance. This information, upon receipt, will ensure higher data quality, help to detect fraud, assess contractor performance, provide feedback on observer performance, and offer a direct line of communication from fishermen to the NEFOP management.

¹ American Furniture Manufacturers Committee for Legal Trade and Vaughan-Bassett Furniture Company, Inc.