

Pilot will be substantially larger, involving as much as 800 million cubic feet of gas per day. The objectives of this GOMR Pilot program for Federal gas are, as with all three Pilots, to determine the key factors required for a successful Federal RIK program and to test its effectiveness for collecting Federal oil and gas royalties. Consistent with these objectives, MMS seeks the comments and suggestions of the public and our stakeholders. We urge all with an interest in the program to attend and participate in the discussion.

MMS will direct operators of affected Federal leases and associated communitization/unit agreements to deliver royalty volumes in kind to the Federal Government beginning this fall. For all other leases or agreements, payors will continue paying royalties based on current requirements.

Topics to be discussed at the meeting are:

1. Overall framework and phases of the GOMR Pilot.
2. Intent of the GOMR Pilot.
3. Responsibilities of Federal Government or its purchasers or agents:
  - 100 per cent take of all royalty volumes delivered.
  - Communication with operator.
  - Imbalance procedures.
  - Reporting.
4. Responsibilities of operators:
  - Reporting.
  - Imbalance procedures.
  - Communication with purchaser or agent.
  - Verification of royalty volumes.
  - Project termination and next phase of the pilot.
5. Delivery for Federal RIK gas volumes and transportation arrangements.
6. Sales of RIK natural gas production:
  - Within the Federal Government.
  - To the public.
7. Question and answer period.

Dated: June 25, 1999.

**Walter D. Cruickshank,**

*Associate Director for Policy and Management Improvement.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-416]

### **Certain Compact Multipurpose Tools; Notice of Commission Decision Not To Review an Initial Determination Granting Summary Determination; and Request for Submissions on Remedy, the Public Interest, and Bonding**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has decided not to review the presiding administrative law judge's ("ALJ's") initial determination granting a motion for summary determination concerning violation of section 337 of the Tariff Act of 1930 as amended (19 U.S.C. 1337) by the four respondents remaining in the investigation.

**FOR FURTHER INFORMATION CONTACT:** P.N. Smithey, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3061. General information concerning the Commission also may be obtained by accessing its Internet server (<http://www.usitc.gov>). Hearing-impaired individuals can obtain information concerning this matter by contacting the Commission's TDD terminal at 202-205-1810.

**SUPPLEMENTARY INFORMATION:** On August 28, 1998, Leatherman Tool Group, Inc., filed a complaint with the Commission alleging violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain compact multipurpose tools that infringe claims of four U.S. design patents. The Commission instituted the investigation on September 30, 1998. Five firms were named as respondents: Suncoast of America, Inc.; Quan Da Industries; Kumasama Products Co., Ltd.; Jiangsu Hongbao Group, Corp.; and SCIKO Chinalight, Ltd. See 63 FR 52287 (Sept. 30, 1998). The Commission added Charles Amash Imports, Inc., d/b/a Grip On Tools, as a sixth respondent on December 14, 1998. See 63 FR 70215 (Dec. 18, 1998).

Grip On and Suncoast eventually were terminated on the basis of consent orders. Notice of Commission Decision Not to Review an Initial Determination Terminating a Respondent on the Basis of a Consent Order [and] Issuance of Consent Order (Apr. 21, 1999); Order No. 13 (Mar. 25, 1999); Notice of Commission Decision Not to Review an Initial Determination Terminating a

Respondent on the Basis of a Consent Order [and] Issuance of Consent Order (Mar. 5, 1999); and Order No. 9 (Feb. 5, 1999).

The Commission subsequently found the remaining respondents to be in default, in light of their failure to answer the complaint and notice of investigation in the manner prescribed by the Commission rules and their failure to respond to orders directing them to show cause why they should not be found in default. See Notice of Commission Decision Not to Review an Initial Determination Finding a Respondent in Default (May 11, 1999); Order No. 14 (Apr. 8, 1999); Notice of Commission Decision Not to Review an Initial Determination Finding Three Respondents in Default (Mar. 25, 1999); and Order No. 11 (Mar. 2, 1999).

On February 1, 1999, complainant Leatherman Tool Group, Inc., filed Motion No. 416-6 for summary determination that the four respondents remaining in the investigation have violated section 337.

On February 11, 1999, the Commission investigative attorney filed a response supporting the motion. No other party responded to the motion.

On May 27, 1999, the ALJ issued the ID granting the motion for summary determination concerning violation of section 337 by respondents. The ALJ found that there is no genuine issue of fact that: (1) Each respondent has imported an accused tool into the United States, sold it for importation, and/or sold it in the United States after importation; (2) the four design patents at issue are valid and enforceable; and (3) the complainant has satisfied the technical prong of the domestic industry requirement (19 U.S.C. 1337(a)(2)).<sup>1</sup>

No party filed a petition for review of the ID pursuant to 19 CFR 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 CFR 210.44. The ID thus became the determination of the Commission pursuant to 19 CFR 210.42(h)(3).

As a final disposition of this investigation, the Commission may issue (1) an order that could result in exclusion of the subject articles from entry into the United States, and/or (2) cease and desist orders that could result in respondents being required to cease and desist from engaging in unfair

<sup>1</sup> The Commission previously determined not to review an ID granting a summary determination on the economic prong of the statutory domestic industry requirement. See Notice of Commission Decision Not to Review an Initial Determination Granting Summary Determination on the Domestic Industry Requirement (Mar. 5, 1999); and Order No. 7 (Feb. 2, 1999).

action in the importation and sale of such articles. The Commission is therefore interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see *In the Matter of: Certain Devices for Connecting Computers Via Telephone Lines*, Inv. No. 337-TA-360, USITC Publication No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist order would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are the subject of this investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving written submissions concerning the amount of the bond that should be imposed.

#### Written Submissions

The parties to the investigation, interested Government agencies, and other interested persons or entities are encouraged to file written submissions on remedy, the public interest, and bonding.

The document constituting the ID also contains the ALJ's recommended determination ("RD") under 19 CFR 210.42(a)(2) concerning remedy and bonding. The ALJ has recommended that the Commission issue a general exclusion order and set the bond at 100 percent of the entered value of the accused imports during the Presidential review period. The parties' written submissions on remedy, the public interest, and bonding may assert their

arguments concerning the RD in accordance with 19 CFR 210.46(a). The Commission also requests that the complainant and the Commission investigative attorney submit proposed remedial orders for the Commission's consideration.

All written submissions and proposed remedial orders must be filed with the Office of the Secretary no later than 5:15 p.m. on Tuesday, July 13, 1999. Reply submissions must be filed no later than 5:15 p.m. on Tuesday, July 20, 1999. No further submissions on remedy, the public interest, and bonding will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions and proposed remedial orders must file the original document and 14 true copies with the Office of the Secretary on or before the deadlines stated above. Any person desiring to submit a document or portion thereof in confidence must request confidential treatment unless the information contained in the document or portion thereof has already been granted such treatment during the investigation. All requests for confidential treatment should be directed to the Secretary of the Commission and must include a full statement of the reasons that the Commission should grant such treatment. See 19 CFR 201.6. All nonconfidential written submissions will be available for public inspection at the Office of Secretary.

Nonconfidential copies of the ID granting the motion for summary determination, the RD on remedy and public interest, all other nonconfidential documents filed in the investigation are or will be available for public inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Commission's Office of the Secretary, Dockets Branch, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone 202-205-1802.

By order of the Commission.

Issued: June 28, 1999

**Donna R. Koehnke,**

Secretary.

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#### INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-302 (Review) and 731-TA-454 (Review)]

#### Fresh and Chilled Atlantic Salmon From Norway

AGENCY: United States International Trade Commission.

**ACTION:** Institution of five-year reviews concerning the countervailing duty and antidumping duty orders on fresh & chilled Atlantic salmon from Norway.

**SUMMARY:** The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the countervailing duty and antidumping duty orders on fresh & chilled Atlantic salmon from Norway would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;<sup>1</sup> to be assured of consideration, the deadline for responses is August 20, 1999. Comments on the adequacy of responses may be filed with the Commission by September 13, 1999.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's rules of practice and procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207). Recent amendments to the rules of practice and procedure pertinent to five-year reviews, including the text of subpart F of part 207, are published at 63 FR 30599, June 5, 1998, and may be downloaded from the Commission's World Wide Web site at <http://www.usitc.gov/rules.htm>.

**EFFECTIVE DATE:** July 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mary Messer (202-205-3193) or Vera Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>).

#### SUPPLEMENTARY INFORMATION:

<sup>1</sup> No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 99-5-022. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436.