

off-site mitigation bank in the Riverside County area. Both conservation banks possess a management endowment to ensure their permanent management for sensitive species and habitats, including the California gnatcatcher.

The Environmental Assessment considers the environmental consequences of four alternatives, including the Proposed Action. The Proposed Action consists of the issuance of two incidental take permits and implementation of the HCP and its Implementing Agreement, which includes measures to minimize and mitigate impacts of the two projects on the coastal California gnatcatcher. Under the "No Action" alternative, the Service would not issue a permit to either Applicant. Under this alternative, the proposed residential developments would not be constructed at this time. Both pairs of gnatcatchers may still be lost over time because the small isolated project site is not well-suited to the long term preservation of gnatcatcher pairs. Contributions to more permanent gnatcatcher preservation efforts in the region (through participation in regional conservation mitigation banks) would not occur.

Under the "Reduced Project" alternative, one of the two multi-family residential projects would not receive an incidental take permit. One of the applicants would not develop their property at this time. The other project would receive a permit. It is likely that both gnatcatcher pairs would ultimately be lost from the 44 acre combined site since development of either project alone would likely eliminate so much habitat as to render the remaining isolated habitat incapable of supporting any gnatcatcher pairs in the long term. This alternative would provide only half of the conservation benefits of the Proposed Action while ultimately resulting in the same level of incidental take as the Proposed Action.

Under the "Different Location" alternative, the two adjoining projects would be relocated to another area in the City of Temecula. The opportunities for needed multi-family housing in the City of Temecula are severely limited, and the identification and acquisition of an alternative site in the City cannot be assured. Under this alternative, both pairs of gnatcatchers may still be lost because the small isolated project site is not well-suited to the long term preservation of gnatcatcher pairs. No conservation contributions to regional gnatcatcher preservation would be made.

The alternatives to the Proposed Action would result in less habitat conservation value for the coastal

California gnatcatcher in the Riverside County region and contribute less to its long-term survival in the wild than the off-site conservation bank habitat preservation/management mitigation measures under the Proposed Action.

This notice is provided pursuant to section 10(a) of the Endangered Species Act and the regulations of the National Environmental Policy Act of 1969 (40 CFR 1506.6). All comments that we receive, including names and addresses, will become part of the official administrative record and may be made available to the public. We will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the National Environmental Policy Act regulations and section 10(a) of the Endangered Species Act. If we determine that those requirements are met, we will issue a permit to each Applicant for the incidental take of the coastal California gnatcatcher. We will make our final permit decision no sooner than 60 days from the date of this notice.

Dated: November 26, 2001.

**John Engring,**

*Acting Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

[FR Doc. 01-29840 Filed 11-30-01; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Issuance of Permit for Marine Mammals

On August 29, 2001, a notice was published in the **Federal Register** (66 FR 45689), that an application had been filed with the Fish and Wildlife Service by Andy Krook for a permit (PRT-046899) to import one polar bear (*Ursus maritimus*) taken from the Southern Beaufort Sea population, Canada, for personal use.

Notice is hereby given that on October 29, 2001, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

On September 6, 2001, a notice was published in the **Federal Register** (66 FR 46650), that an application had been filed with the Fish and Wildlife Service by Gerald Moschgat for a permit (PRT-047378) to import one polar bear (*Ursus maritimus*) taken from the Northern Beaufort Sea population, Canada, for personal use.

Notice is hereby given that on October 29, 2001, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

On September 25, 2001, a notice was published in the **Federal Register** (66 FR 49035), that an application had been filed with the Fish and Wildlife Service by Douglas E. Snell for a permit (PRT-047054) to import one polar bear (*Ursus maritimus*) taken from the Northern Beaufort Sea population, Canada, for personal use.

Notice is hereby given that on November 9, 2001, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203, telephone (703) 358-2104 or fax (703) 358-2281.

Dated: November 19, 2001.

**Monica Farris,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

[FR Doc. 01-29850 Filed 11-30-01; 8:45 am]

**BILLING CODE 4310-55-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-740 (Review)]

### Sodium Azide From Japan

**AGENCY:** United States International Trade Commission.

**ACTION:** Institution of a five-year review concerning the suspended investigation on sodium azide from Japan.

**SUMMARY:** The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether termination of the suspended investigation on sodium azide from Japan 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 January 22, 2002. Comments on the adequacy of responses may be filed with the Commission by February 19, 2002. For further information concerning the conduct of this review 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).

**EFFECTIVE DATE:** December 3, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Mary Messer (202-205-3193), 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>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:**

**Background**

On January 7, 1997, the Department of Commerce suspended an antidumping duty investigation on imports of sodium azide from Japan (62 FR 973). The Commission is conducting a review to determine whether termination of the suspended investigation would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

<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. 01-5-066, expiration date July 31, 2002. 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.

**Definitions**

The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is Japan.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the Subject Merchandise. For the purpose of the preliminary investigation, the Commission defined the Domestic Like Product as all sodium azide.

(4) The *Domestic Industry* is the U.S. producers as a whole of the Domestic Like Product, or those producers whose collective output of the Domestic Like Product constitutes a major proportion of the total domestic production of the product. For the purpose of the preliminary investigation, the Commission defined the Domestic Industry as producers of sodium azide.

(5) The *Order Date* is the date that the investigation was suspended. In this review, the Order Date is January 7, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the Subject Merchandise into the United States from a foreign manufacturer or through its selling agent.

**Participation in the Review and Public Service List**

Persons, including industrial users of the Subject Merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the

"same particular matter" as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was "personal and substantial." However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202-205-3088.

**Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List**

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. § 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

**Certification**

Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

**Written Submissions**

Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is January 22, 2002. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also

file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is February 19, 2002. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means. Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

#### **Inability To Provide Requested Information**

Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

#### **Information To Be Provided in Response to This Notice of Institution**

As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and e-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the Domestic Like Product, a U.S. union or worker group, a U.S. importer of the Subject Merchandise, a foreign producer or exporter of the Subject Merchandise, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business

association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the termination of the suspended investigation on the Domestic Industry in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of Subject Merchandise on the Domestic Industry.

(5) A list of all known and currently operating U.S. producers of the Domestic Like Product. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the Subject Merchandise and producers of the Subject Merchandise in the Subject Country that currently export or have exported Subject Merchandise to the United States or other countries since 1996.

(7) If you are a U.S. producer of the Domestic Like Product, provide the following information on your firm's operations on that product during calendar year 2000 (report quantity data in thousands of pounds and value data in thousands of U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the Domestic Like Product accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of the Domestic Like Product produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of the Domestic Like Product produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the Subject Merchandise from the Subject Country, provide the following information on your firm's(s') operations on that product during calendar year 2000 (report quantity data in thousands of pounds and value data in thousands of U.S. dollars). If you are

a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from the Subject Country accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of Subject Merchandise imported from the Subject Country; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from the Subject Country.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Country, provide the following information on your firm's(s') operations on that product during calendar year 2000 (report quantity data in thousands of pounds and value data in thousands of U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in the Subject Country accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from the Subject Country accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the Domestic Like Product that have occurred in the United States or in the market for the Subject Merchandise in the Subject Country since the Order Date, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into

production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Product produced in the United States, Subject Merchandise produced in the Subject Country, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the Domestic Like Product and Domestic Industry; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

**Authority:** This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: November 27, 2001.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 01-29894 Filed 11-30-01; 8:45 am]

**BILLING CODE 7020-02-P**

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

[INS No. 2169C-01]

#### Notice of Corrected Address for Aliens Seeking Relief Pursuant to the Settlement Agreement in *Walters v. Reno*

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice of change of address.

**SUMMARY:** On September 20, 2001, the Immigration and Naturalization Service (Service) published a notice in the **Federal Register** at 66 FR 48480-82, regarding the class action settlement agreement in the case of *Walters et al. v. Reno et al.*, Civ. No. 94-1204C. In the notice the Service incorrectly listed the address for class members to mail their requests for a refund for a previously paid civil money penalty for a section 274c violation. The correct mailing address for such requests is: INS Debt Management Center, 188 Harvest Lane, Williston, VT 05495-7554.

This change is necessary to ensure that class members have the proper mailing address for requesting refunds from the Service.

**DATES:** This notice is effective December 3, 2001.

**FOR FURTHER INFORMATION CONTACT:** Warren McBroom, Immigration and Naturalization Service, 425 I Street, NW, Suite 6100, Washington, DC 20536, telephone (202) 514-2895.

Dated: November 19, 2001.

**James W. Ziglar,**  
Commissioner, Immigration and Naturalization Service.

[FR Doc. 01-29884 Filed 11-30-01; 8:45 am]

**BILLING CODE 4410-10-M**

## LIBRARY OF CONGRESS

### Copyright Office

[Docket No. RM 97-5C]

#### Copyright Restoration of Works in Accordance With the Uruguay Round Agreements Act; Notification Pertaining to Notices of Intent To Enforce Restored Copyrights

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Notification of request to retract prior filings of notices of intent to enforce restored copyrights.

**SUMMARY:** This notice gives public notice that the Copyright Office has received a notification of a request to retract the filing of certain notices of intent to enforce restored copyrights under the Uruguay Round Agreements Act.

**EFFECTIVE DATE:** December 3, 2001.

**FOR FURTHER INFORMATION CONTACT:** Charlotte Douglass, Principal Legal Advisor to the General Counsel, or Marilyn Kretsinger, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** Under the Uruguay Round Agreements Act, the Copyright Office is charged with publishing in the **Federal Register** any notices of intent to enforce restored copyrights timely filed with the Office. Notices filed with the Office must be filed within 24 months after a work

initially becomes eligible. See 17 U.S.C. 104A(d)(2)(A). At this time, only works the source country of which is a foreign member of the World Trade Organization or the Berne Convention are eligible for restoration. 17 U.S.C. 104A(h)(3). On or shortly after January 1, 1996, the effective date of the Uruguay Round Agreements Act, the great majority of these countries fulfilled the conditions for eligibility. For those reasons, the time for filing notices of intent from the overwhelming majority of countries has now expired. Thus, typically, the Office does not receive new NIEs that are timely.

The URAA also prescribes conditions under which NIEs may be corrected. In 1997, the Copyright Office adopted an interim regulation under which corrections of errors in Notices of Intent to Enforce restored copyright may be filed. 62 FR 55736 (1997). In accordance with that regulation, the Office has published in the **Federal Register** lists of certain Correction Notices which reflect information erroneously listed on or omitted from original NIEs. 37 CFR 201.34. Any timely filed original or correction NIEs are published within four months after receipt on the next scheduled publication date. 17 U.S.C. 104A(e)(1)(B).

The Office now publishes a list of NIEs that is neither of original nor Correction NIEs but a judicially required statement which is the result of an action related to ownership of certain restored copyrights. The Office publishes this notice consistent with the intent of the URAA that makes the Copyright Office responsible for providing public notice of significant facts regarding, inter alia, the ownership of restored copyrights.

In a letter dated August 30, 2001, responding to an Amended Final Judgment in *Alameda Films, S.A. v. H. Jackson Shirley III*, No. H-99-0734, slip op. at 4 (S.D. Tex. Aug. 1, 2001), Mr. Shirley notified the U.S. Copyright Office that the Authors Rights Restoration Corporation retracts all filings in the U.S. Copyright Office in any way related to the eighty-one films listed in Exhibit "A" of the district court's order. This case has been appealed to the fifth circuit, No. 01-20869, docketed August 24, 2001.

The titles from Exhibit A are as follows:

U.S. copyright owner	Film title	Translated title
Alameda Films, S.A .....	El Baron del Terror .....	The Baron of Terror.
Alameda Films, S.A .....	El Grito de la Muerte .....	Cry of Death.
Alameda Films, S.A .....	El Hombre y El Monstruo .....	The Man and the Monster.
Alameda Films, S.A .....	La Cabeza Viviente .....	The Living Head.