

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-411]

Certain Organic Photoconductor Drums and Products Containing the Same; Notice of Commission Determination to Review an Initial Determination Terminating the Investigation Based on Withdrawal of the Complaint**AGENCY:** U.S. International Trade Commission.**ACTION:** Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to review the initial determination (ID) of the presiding administrative law judge (ALJ) terminating the above-captioned investigation on the basis of complainants' withdrawal of their complaint. The review concerns the consistency of the ALJ's termination of the investigation with Commission policy regarding termination of investigations "with prejudice." The Commission intends to complete its review expeditiously.

In addition, since respondents' motion for monetary sanctions remains under consideration by the ALJ, the Commission has deferred ruling on any issues concerning sanctions, including the matter of whether the determination of sanctionable conduct made in ALJ Order No. 11 should be treated as concurrently filed with the ID terminating the investigation under 19 CFR 210.25(d). Therefore, the Commission has determined to waive any requirement for publication at this time of a schedule that may be applicable for filing and responding to a petition for review of ALJ Order No. 11.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3104.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 4, 1998, based on a complaint filed by Mitsubishi Chemical Corporation of Japan and Mitsubishi Chemical Corporation America of White Plains, New York (collectively, Mitsubishi). 58 FR 30513. Twelve firms were named as respondents.

On December 4, 1998, Mitsubishi filed an unopposed motion to terminate the investigation based on withdrawal of its complaint with prejudice. By that date, only respondents Dainippon Ink and Chemicals of Japan and DIC Trading (USA) of Fort Lee, New Jersey

(collectively, DIC) remained in the investigation. Some of the respondents had been terminated based on consent order agreements with Mitsubishi or had had the complaint withdrawn as to them. Others had entered into agreements with Mitsubishi to be terminated from the investigation that had not yet been acted upon by the ALJ. On December 7, 1998, the presiding ALJ issued an ID granting complainants' motion.

Mitsubishi filed its motion to terminate one day after the ALJ issued Order No. 11. That order, which issued on December 3, 1998, granted in part a motion filed by DIC for sanctions against Mitsubishi. It also ordered that Mitsubishi turn over to DIC a consultancy agreement as to which Mitsubishi had claimed privilege. The ALJ reserved ruling on two aspects of DIC's motion for sanctions until after the then-scheduled hearing. Those parts of DIC's motion are pending before the ALJ.

No petitions for review of the ID's determination to terminate the investigation were filed. There were, however, numerous filings concerning the sanctions issues raised in ALJ Order No. 11.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and Commission rules 210.44, 19 CFR 210.44 and 210.4, 19 CFR 201.4.

Copies of the public version of the ALJ's ID, and all other nonconfidential documents filed in connection with this investigation, are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

By order of the Commission.
Issued: February 18, 1999.

Donna R. Koehnke,*Secretary.*

[FR Doc. 99-4567 Filed 2-23-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-125-126 (Review)]

Potassium Permanganate From China and Spain**AGENCY:** United States International Trade Commission.**ACTION:** Notice of Commission determination to conduct full five-year reviews concerning the antidumping duty orders on potassium permanganate from China and Spain.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)(5)) to determine whether revocation of the antidumping duty orders on potassium permanganate from China and Spain would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. A schedule for the reviews will be established and announced at a later date.

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: February 4, 1999.

FOR FURTHER INFORMATION CONTACT: George Deyman (202-205-3197), 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: On February 4, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Act.

With respect to potassium permanganate from Spain, Inv. No. 731-TA-126 (Review), the Commission found that both the domestic interested party group response and the respondent interested party group response to its notice of institution¹ were adequate and voted to conduct a full review.

With respect to potassium permanganate from China, Inv. No. 731-TA-125 (Review), the Commission found that the domestic interested party group response was adequate and the respondent interested party group response was inadequate. The Commission also found that other circumstances warranted conducting a full review.²

A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's web site.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

By order of the Commission.

Issued: February 18, 1999.

Donna R. Koehnke,
Secretary.

[FR Doc. 99-4569 Filed 2-23-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 731-TA-777-779 (Final)]

Certain Preserved Mushrooms From China, India, and Indonesia

Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China, India, and Indonesia of certain preserved mushrooms, provided for in subheadings 0711.90.40 and 2003.10.00 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce to be

sold in the United States at less than fair value (LTFV).² Vice Chairman Miller and Commissioners Hillman and Koplan find that critical circumstances exist with respect to subject imports from China. Chairman Bragg and Commissioners Crawford and Askey find that critical circumstances do not exist with respect to subject imports from China.

Background

The Commission instituted these investigations effective January 6, 1998, following receipt of a petition filed with the Commission and the Department of Commerce by the Coalition for Fair Preserved Mushroom Trade and its members: L.K. Bowman, Inc., Nottingham, PA; Modern Mushroom Farms, Inc., Toughkenamon, PA; Monterey Mushrooms, Inc., Watsonville, CA; Mount Laurel Canning Corp., Temple, PA; Mushroom Canning Co., Kennett Square, PA; Sunny Dell Foods, Inc., Oxford, PA; and United Canning Corp., North Lima, OH.³ The final phase of these investigations was scheduled by the Commission following notification of preliminary determinations by the Department of Commerce that imports of certain preserved mushrooms from China, India, and Indonesia were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the scheduling of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of August 19, 1998 (63 FR 44470). The hearing was held in Washington, DC, on October 15, 1998, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on February 11, 1999. The views of the Commission are contained in USITC Publication 3159 (February 1999), entitled *Certain Preserved Mushrooms from China, India, and Indonesia: Investigations Nos. 731-TA-777-779 (Final)*.

By order of the Commission.

¹ The notice of institution for both of the subject reviews was published in the **Federal Register** on Nov. 2, 1998 (63 FR 58765).

² Commissioner Crawford dissenting.

³ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

² Commissioners Crawford and Askey dissenting with regard to Indonesia.

³ On March 9, 1998, the Commission received notice that Southwood Farms, Hockessin, DE, had joined the petitioning coalition.

Issued: February 19, 1999.

Donna R. Koehnke,
Secretary.

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 98-12B]

Promotion of Distance Education Through Digital Technologies

AGENCY: Copyright Office, Library of Congress.

ACTION: Extension of deadline for submission of reply comments.

SUMMARY: The Copyright Office is extending the period for submission of reply comments in the above-referenced study on the promotion of distance education through digital technologies.

DATES: Reply comments must be received in the Copyright Office on or before 5:00 p.m. E.S.T. on March 3, 1999.

ADDRESSES: All submissions should be addressed to Sayuri Rajapakse, Attorney-Advisor, Office of Policy and International Affairs. For information on formats, see **SUPPLEMENTARY INFORMATION** for file formats and other information about electronic filing. Those filings sent by regular mail should be sent to the U.S. Copyright Office, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Submissions delivered by hand should be brought to the Office of Policy and International Affairs, Office of the Register, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, Southeast, Washington, D.C. Submissions by telefax should be made to (202) 707-8366. Submissions by electronic mail should be made to "disted@loc.gov."

FOR FURTHER INFORMATION CONTACT: Sayuri Rajapakse, Attorney-Advisor, Office of Policy and International Affairs. Telephone: (202) 707-8350. Telefax: (202) 707-8366.

SUPPLEMENTARY INFORMATION: On December 23, 1998, the Copyright Office published a request for comments and notice of public hearing on the promotion of distance education through digital technologies, in connection with the Office's study of distance education in accordance with Section 403 of the Digital Millennium Copyright Act of 1998. (Pub. L. 105-304, 112 Stat. 2860) 63 FR 71167 (December 23, 1998). Comments were due to be filed by February 5, 1999; reply