

disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written 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 administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675 (a)(1) and 19 U.S.C. 1677f(i)(1)) and 19 CFR 353.22.

Dated: April 7, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98-10038 Filed 4-15-98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-806]

Certain Small Business Telephone Systems and Subassemblies Thereof From Taiwan; Notice of Court Decision

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

SUMMARY: On February 25, 1998, the Court of International Trade affirmed the Department of Commerce's remand determination in *Taiwan International Standard Electronics, Ltd. v. United States*, Court No. 92-08-00532, and *Tecom Co., Ltd. v. United States*, Court No. 92-08-00538. These cases involve litigation challenging the Department of Commerce's final results of the August 3, 1989, through November 30, 1990, antidumping duty administrative review of certain small business telephone systems and subassemblies from Taiwan. This Court decision was not in harmony with the Department's original determination in this review.

EFFECTIVE DATE: April 16, 1998.

FOR FURTHER INFORMATION CONTACT: Charles Riggle, Office 2, Group 1, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., N.W., Washington, D.C. 20230, telephone: (202) 482-0650.

SUPPLEMENTARY INFORMATION:

Background

On July 1, 1992, the Department published notice of its final results of antidumping duty administrative review of certain small business telephone systems and subassemblies from

Taiwan, covering the period August 3, 1989, through November 30, 1990. *Certain Small Business Telephone Systems and Subassemblies Thereof From Taiwan; Final Results of Antidumping Duty Administrative Review*, 57 FR 29283 (July 1, 1992). In these final results, the Department determined dumping margins of 129.73 percent ad valorem for Taiwan International Standard Electronics, Ltd. (TAISEL) and 18.10 percent ad valorem for Tecom Co., Ltd. (Tecom) for the period of review (POR). Following publication of the Department's final results, TAISEL and Tecom filed lawsuits with the Court of International Trade (CIT) challenging the Department's final results.

In *TAISEL v. United States*, Slip-Op. 97-40 (April 4, 1997), the CIT directed the Department to: (1) Reconsider TAISEL's response to determine whether the Department can exclude returned entries of SBTs covered by canceled sales from assessment of antidumping duties; and (2) assign to TAISEL a best information available (BIA) rate consistent with the Federal Circuit's decision in *Allied-Signal Aerospace Co. v. United States*, 996 F.2d 1185 (Fed. Cir. 1993). On July 3, 1997, in its remand determination, the Department: (1) Excluded from assessment of duties certain entries for which TAISEL provided documentation showing that such entries were returned as a result of canceled sales; and (2) assigned TAISEL a BIA margin based on the margin recalculated for Tecom in the same remand. As a result of this redetermination, the Department assigned a BIA margin of 8.24 percent to TAISEL for the POR.

In *Tecom Co. v. United States*, Slip-Op. 97-42 (April 4, 1997), the CIT directed the Department to: (1) Use Tecom's data contained on a computer tape submitted on July 29, 1991; (2) reconsider Tecom's claims for circumstance-of-sales adjustments, as well as its claim for an adjustment to foreign market value (FMV) for the provision of free gifts; and (3) reconsider Tecom's claim for a level-of-trade adjustment. In its July 3, 1997, remand determination, the Department: (1) Used the data contained on the July 29, 1991, computer tape; (2) disallowed Tecom's claimed circumstance-of-sale adjustments as well as its claimed adjustment to FMV for free gifts; and (3) granted a level-of-trade adjustment. As a result of this redetermination, the Department calculated a dumping margin of 8.24 percent for Tecom for the POR.

On February 25, 1998, the CIT affirmed these redeterminations.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Court of Appeals for the Federal Circuit (CAFC) held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. Publication of this notice fulfills that obligation. The CAFC also held that the Department must suspend liquidation of the subject merchandise until there is a "conclusive" decision in the case. Therefore, pursuant to *Timken*, Commerce must suspend liquidation pending the expiration of the period to appeal the CIT's February 25, 1998 ruling or, if that ruling is appealed, pending a final decision by the CAFC.

Dated: April 7, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98-10167 Filed 4-15-98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-827]

Notice of Amended Final Determination and Antidumping Duty Order of Sales at Less Than Fair Value: Static Random Access Memory Semiconductors From Taiwan

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

EFFECTIVE DATE: April 16, 1998.

FOR FURTHER INFORMATION CONTACT: Shawn Thompson or David Genovese, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC. 20230; telephone: (202) 482-1776 or (202) 482-0498, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to the regulations codified at 19 CFR part 353 (April 1, 1996).

Amended Final Determination

In accordance with section 735(a) of the Act, on February 23, 1998, the Department made its final

determination that static random access memory semiconductors (SRAMs) from Taiwan, are being, or are likely to be, sold in the United States at less than fair value (63 FR 8909). Subsequent to the final determination, on February 25, 1998, March 3, 1998, and March 6, 1998, we received allegations, timely filed pursuant to 19 CFR 353.28(b), from Winbond Electronics Corporation (Winbond), Integrated Silicon Solutions, Inc. (ISSI), and Alliance Semiconductor Corporation (Alliance), respectively, that the Department made ministerial errors in its final determination. We did not receive comments from United Microelectronics Corporation (UMC). In addition, on March 5, 1998, the petitioner alleged that the Department made ministerial errors in the final determination with respect to the calculations performed for Alliance and ISSI. We received comments from Alliance responding to the petitioner's allegations on March 12, 1998. We received comments from the petitioner responding to Alliance's allegations on March 13, 1998.

We have determined, in accordance with 19 CFR 353.28(d), that ministerial errors were made in our final margin calculations. Specifically, the Department made ministerial errors in its final determination with respect to the following issues: (1) The calculation of the indirect selling expense factor used to compute Alliance's constructed value; (2) the calculation of the constructed export price/commission offset for Alliance; (3) the use of facts available for sales with cost data reported for a subsequent quarter by Alliance; (4) the calculation of U.S. movement expenses incurred by Alliance; (5) the calculation of ISSI's revised general and administrative expenses; and (6) the calculation of U.S. inventory carrying costs incurred by Winbond. In addition, we revised the cost test in the respondents' final margin programs so that the cost calculations are consistent with the description of the cost test in the **Federal Register** notice. For a detailed discussion of the above-cited ministerial errors and the Department's analysis, see Memorandum to Louis Apple from the Team, dated March 19, 1998. In accordance with 19 CFR 353.28(c), we are amending the final determination of the antidumping duty investigation of SRAMs from Taiwan to correct these ministerial errors. The revised final

weighted-average dumping margins are as follows:

Company	Original margin	Revised margin
Alliance	50.58	50.15
ISSI	7.59	7.56
UMC	93.87	93.71
Winbond	102.88	101.53
All Others	41.98	41.75

Scope of Order

The products covered by this order are synchronous, asynchronous, and specialty SRAMs from Taiwan, whether assembled or unassembled. Assembled SRAMs include all package types. Unassembled SRAMs include processed wafers or die, uncut die and cut die. Processed wafers produced in Taiwan, but packaged, or assembled into memory modules, in a third country, are included in the scope; processed wafers produced in a third country and assembled or packaged in Taiwan are not included in the scope.

The scope of this order includes modules containing SRAMs. Such modules include single in-line processing modules (SIPs), single in-line memory modules (SIMMs), dual in-line memory modules (DIMMs), memory cards, or other collections of SRAMs, whether unmounted or mounted on a circuit board.

The scope of this order does not include SRAMs that are physically integrated with other components of a motherboard in such a manner as to constitute one inseparable amalgam (i.e., SRAMs soldered onto motherboards).

The SRAMs within the scope of this order are currently classifiable under the subheadings 8542.13.8037 through 8542.13.8049, 8473.30.10 through 8473.30.90, and 8542.13.8005 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Antidumping Duty Order

On April 9, 1998, the International Trade Commission (ITC) notified the Department of its final determination, pursuant to section 735(b)(1)(A)(i) of the Act, that an industry in the United States is materially injured by reason of imports of the subject merchandise from Taiwan.

In accordance with section 736(a)(1) of the Act, the Department will direct Customs officers to assess, upon further advice by the administering authority, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price or constructed export price of the merchandise for all entries of SRAMs from Taiwan. These antidumping duties will be assessed on all unliquidated entries of SRAMs from Taiwan entered, or withdrawn from warehouse, for consumption on or after October 1, 1997, the date on which the Department published its preliminary determination in the **Federal Register** (62 FR 51442). On or after the date of publication of this notice in the **Federal Register**, Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average antidumping duty margins as noted below. The "All Others" rate applies to all exporters of SRAMs not specifically listed below.

The ad valorem weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Revised weighted-average margin percentage
Alliance Semiconductor Corporation	50.15
Integrated Silicon Solutions (Taiwan), Inc.	7.56
United Microelectronics Corporation	93.71
Winbond Electronics Corporation	101.53
All Others	41.75

This notice constitutes the antidumping duty order with respect to SRAMs from Taiwan, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published pursuant to section 736(a) of the Act and 19 CFR 353.21.

Dated: April 13, 1998.

Joseph A. Spetrini,
Acting Assistant Secretary for Import Administration.

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