

only party to request a review of Camesa's sales for this period of the proceeding. Therefore, in accordance with section 351.213(d)(1), we are rescinding this review of sales by Camesa.

Section 351.213(d)(3) allows the Department to rescind a review if the Department concludes that during the POR there were no entries, exports, or sales of the subject merchandise, as the case may be. Based on Cablesa's certification, submitted on May 10, 2000, which we independently confirmed with the U.S. Customs Service, we conclude that Cablesa had no entries, exports, or sales during the POR, and, thus, that there is no basis for a review. Therefore, in accordance with section 351.213(d)(3) we are rescinding this review of sales by Cablesa.

We will instruct customs to liquidate the entries made during the POR at the rate entered. We are publishing this notice in accordance with section 351.213(d)(4) of our regulations.

Dated: September 20, 2000.

Joseph A. Spetrini,

Deputy Assistant Secretary, AD/CVD Enforcement Group III.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-802]

Gray Portland Cement and Clinker From Mexico: Final Results of Changed-Circumstances Antidumping Duty Administrative Review

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

ACTION: Final Results of Changed-Circumstances Antidumping Duty Administrative Review.

SUMMARY: On August 17, 2000, the Department of Commerce published the notice of preliminary results of its changed-circumstances review concerning its examination of whether GCC Cemento, S.A. de C.V., is the successor-in-interest to Cementos de Chihuahua, S.A. de C.V., for purposes of determining antidumping liability. We have now completed that review and determine that GCC Cemento, S.A. de C.V., is the successor-in-interest to Cementos de Chihuahua, S.A. de C.V., for antidumping duty law purposes and, as such, receives the antidumping duty cash deposit rate previously assigned to Cementos de Chihuahua, S.A. de C.V., of 48.95 percent *ad valorem*.

EFFECTIVE DATE: September 28, 2000.

FOR FURTHER INFORMATION CONTACT: Minoo Hatten or Robin Gray, Office of AD/CVD Enforcement 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-1690 or (202) 482-4023, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 24, 1999, Cementos de Chihuahua, S.A. de C.V. (CDC), requested that the Department of Commerce (the Department) conduct an expedited changed-circumstances review pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act). In that letter, CDC stated that, effective December 1, 1999, GCC Cemento, S.A. de C.V. (GCCC), a newly created company, would be the successor in interest to CDC due to a corporate reorganization. CDC also stated that it would become a holding company and the parent of GCCC and its subsidiary companies. On December 13, 1999, the petitioner, the Southern Tier Cement Committee, opposed CDC's request that the Department initiate an expedited changed-circumstances review. Since the Department had very little information on the record concerning this corporate reorganization, the Department concluded that it would be inappropriate to conduct an expedited changed-circumstances review and issue a preliminary determination concurrent with the initiation of a changed-circumstance review. Thus, the Department published only a notice of initiation. See *Gray Portland Cement and Clinker From Mexico: Notice of Initiation of Antidumping Duty Changed-Circumstances Review*, 65 FR 1592 (January 11, 2000). On January 20, 2000, the Department sent a questionnaire to GCCC requesting additional information. On February 9, 2000, the Department received GCCC's response to the questionnaire. On April 6, 2000, the Department sent a supplemental questionnaire to GCCC. GCCC responded on April 27, 2000. On June 23, 2000, the Department conducted a verification of information pertaining to this changed-circumstances review at GCCC's offices in Chihuahua, Mexico.

On August 17, 2000, the Department published in the **Federal Register** (65 FR 50180) the notice of preliminary results of changed-circumstances antidumping duty administrative review of the antidumping duty order on gray

portland cement and clinker from Mexico. We now have completed this changed-circumstances review in accordance with section 751(b) of the Act.

The Applicable Statute

Unless otherwise indicated, all citations to the statute 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's regulations are to 19 CFR Part 351 (1999).

Scope of the Review

The products covered by this review include gray portland cement and clinker. Gray portland cement is a hydraulic cement and the primary component of concrete. Clinker, an intermediate material product produced when manufacturing cement, has no use other than of being ground into finished cement. Gray portland cement is currently classifiable under the Harmonized Tariff Schedule (HTS) item number 2523.29 and cement clinker is currently classifiable under item number 2523.10. Gray portland cement has also been entered under item number 2523.90 as "other hydraulic cements."

The HTS subheadings are provided for convenience and customs purposes only. Our written description remains dispositive as to the scope of the product coverage.

Successorship

According to CDC's November 24, 1999, letter, effective December 1, 1999, GCCC, a newly created company, would become the successor in interest to CDC due to a corporate reorganization. CDC requested that the Department make a determination that GCCC should receive the same antidumping duty treatment as the former CDC with respect to gray portland cement and clinker from Mexico.

The Department examined the following factors: (1) Management; (2) production facilities; (3) supplier relationships; (4) customer base. As a result of its examination, the Department has determined that the resulting operation of GCCC is the same as that of its predecessor, CDC, and thus the Department has determined that GCCC is the successor-in-interest to CDC for purposes of determining antidumping duty liability. For a complete discussion of the basis for this decision, see *Gray Portland Cement and Clinker from Mexico: Preliminary Results of Changed Circumstances*

Antidumping Duty Administrative Review, 65 FR 50180 (August 17, 2000).

Comments

Although we gave interested parties an opportunity to comment on the preliminary results, none were submitted.

Final Results of Changed-Circumstances Review

We determine that GCCC is the successor-in-interest to CDC and, accordingly, GCCC will receive the same antidumping duty treatment as the former CDC. Based on the most recently completed review, the cash-deposit rate for entries of subject merchandise from GCCC will be 45.98 percent (see *Gray Portland Cement and Clinker From Mexico: Final Results of Antidumping Duty Administrative Review*, 65 FR 13943 (March 15, 2000)). We will instruct the U.S. Customs Service accordingly.

We are issuing and publishing this determination and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and section 351.216 of the Department's regulations.

Dated: September 20, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-827]

Static Random Access Memory Semiconductors From Taiwan: Notice of Court Decision and Suspension of Liquidation

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

SUMMARY: On August 29, 2000, in *Taiwan Semiconductor Industry Association, et al. v. United States*, Court No. 98-05-01460, Slip Op. 00-113 (CIT), a lawsuit challenging the final affirmative determination of the U.S. International Trade Commission that less-than-fair-value imports of static random access memory semiconductors from Taiwan were causing material injury to the domestic industry, the U.S. Court of International Trade affirmed the U.S. International Trade Commission's second remand determination, which found no material injury as well as no threat of material injury, and entered a final judgment

order accordingly. Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F. 2d 337 (Fed. Cir. 1990), the U.S. Department of Commerce will continue to order the suspension of liquidation of the subject merchandise until there is a "conclusive" decision in this case. If the case is not appealed, or if it is affirmed on appeal, the U.S. Department of Commerce will revoke the antidumping duty order covering the subject merchandise.

EFFECTIVE DATE: November 27, 2000.

FOR FURTHER INFORMATION CONTACT: Irina Itkin or Shawn Thompson, AD/CVD Enforcement Group I, Office II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-0656 or (202) 482-1776, respectively.

SUPPLEMENTARY INFORMATION:

Background

The U.S. Department of Commerce (the "Department") published notice of its amended final affirmative less-than-fair-value determination covering the subject merchandise, *i.e.*, imports of static random access memory semiconductors from Taiwan, on April 16, 1998, Notice of Amended Final Determination and Antidumping Duty Order of Sales at Less Than Fair Value: Static Random Access Memory Semiconductors From Taiwan, 63 FR 18883 (April 16, 1998), and the U.S. International Trade Commission (the "Commission") subsequently made its final affirmative determination that a U.S. industry was being materially injured by reason of imports of the subject merchandise. See *Static Random Access Memory Semiconductors From the Republic of Korea and Taiwan*, 63 FR 18443 (April 15, 1998). The Department published the amended antidumping order covering the subject merchandise on April 22, 1998. See *Amended Antidumping Duty Order of Sales at Less Than Fair Value: Static Random Access Memory Semiconductors From Taiwan*, 63 FR 19898.

Following publication of the antidumping duty order, the Taiwan Semiconductor Industry Association, an interested party in this case, filed a lawsuit with the U.S. Court of International Trade ("CIT") challenging the Commission's final affirmative determination of material injury. In two subsequent decisions, the CIT remanded the case to the Commission. See *Taiwan Semiconductor Industry Association, et*

al. v. United States, 59 F. Supp. 2d 1324, 1336 (CIT) (1999); see also *Taiwan Semiconductor Industry Association, et al. v. United States*, Slip Op. 00-37 (CIT) (April 11, 2000). On the second remand, the Commission determined that an industry in the United States is not being materially injured, nor is it threatened with material injury, by reason of imports of the subject merchandise. The CIT affirmed the Commission's second remand determination on August 29, 2000. See *Taiwan Semiconductor Industry Association, et al. v. United States*, Slip Op. 00-113 (CIT).

Suspension of Liquidation

In its decision in *Timken Co. v. United States* 893 F. 2d 337 (Fed. Cir. 1990) ("*Timken*"), the U.S. Court of Appeals for the Federal Circuit ("Federal Circuit") held that the Department must publish notice of a decision of the CIT or the Federal Circuit which is not "in harmony" with the Department's or the Commission's determination. Publication of this notice fulfills that obligation. The Federal Circuit 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*, the Department must continue to suspend liquidation pending the expiration of the period to appeal the CIT's August 29, 2000, decision or, if that decision is appealed, pending a final decision by the Federal Circuit. Furthermore, because the respondents obtained an injunction in this litigation, the Department will revoke the antidumping duty order covering the subject merchandise effective October 1, 1997, in the event that the CIT's ruling is not appealed or the Federal Circuit issues a final decision affirming the CIT's ruling.

Dated: September 21, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

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