

or any other government entity. However, it is the Department's practice with non-market economies (NMEs) to require information regarding *de jure* and *de facto* government control over a company's export activities to establish its eligibility for an antidumping duty rate separate from the country-wide rate. Accordingly, we will issue a separate-rates questionnaire to Taiyuan and seek additional information from the government of the PRC, as appropriate.

If the responses from Taiyuan and the government of the PRC adequately demonstrate that Taiyuan is not subject to *de jure* and *de facto* government control with respect to its exports of pure magnesium, the review will proceed. If, on the other hand, the responses do not demonstrate Taiyuan's eligibility for a separate rate, Taiyuan will be deemed to be affiliated with other companies that exported during the POI which did not establish their

entitlement to a separate rate and we will terminate the new shipper review. If this review proceeds normally, we will issue the preliminary results of this review not later than 180 days from the date on which this review is initiated and the final results within 90 days after issuance of the preliminary results, unless these time limits are extended in accordance with section 751(a)(2)(B)(iv) of the Act and section 353.22(h)(7)(ii) of the Interim Regulations.

Antidumping duty proceeding	Period to be reviewed
Pure Magnesium: People's Republic of China: A-570-832; Taiyuan Heavy Machinery Import and Export Corporation	12/01/95-11/30/96

We will instruct the U.S. Customs Service to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by the above listed company, in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 353.22(h)(4)(1995).

Interested parties must submit applications for disclosure under administrative protective order in accordance with section 353.34(b) of the Department's regulations (19 CFR 353.34(b)(1995)).

This initiation and this notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and section 353.22(h) of the Interim Regulations.

Dated: December 17, 1996.
Barbara R. Stafford,
Deputy Assistant Secretary, Antidumping/
Countervailing Duty Enforcement.
[FR Doc. 96-33176 Filed 12-27-96; 8:45 am]
BILLING CODE 3510-DS-P

[A-588-703]

Certain Welded Carbon Steel Standard Pipes and Tubes From India; Extension of Time Limits of New Shippers Review

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

ACTION: Notice of extension of time limits of new shippers review.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for the preliminary results in the new shippers review of the antidumping duty order on certain welded carbon steel standard pipes and tubes from India, covering the period May 1, 1995, through April 31, 1996, because the

Department has concluded that the review is extraordinarily complicated.

EFFECTIVE DATE: December 30, 1996.

FOR FURTHER INFORMATION CONTACT: Davina Hashmi, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-5760.

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce has received requests to conduct a new shippers review of the antidumping duty order on certain welded carbon steel standard pipes and tubes from India. On June 27, 1996, the Department initiated this new shippers review covering the period May 1, 1995, through April 31, 1996, in accordance with 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act). The Department has initiated a sales-below-cost investigation of the respondents in this review. We would not be able to complete this sales-below-cost investigation and incorporate that analysis in the margin calculations for our preliminary results of review within the deadline contained in section 751(a)(2)(B)(iv) of the Act. For this reason, we conclude that this new shippers review is extraordinarily complicated (see Memorandum from Laurie Parkhill to Barbara R. Stafford, Recommendation to Extend New Shippers Review Schedule, December 19, 1996). Therefore, in accordance with section 751(a)(2)(B)(iv) of the Act, the Department is extending the time limit for completing the preliminary results of review until April 23, 1997.

This extension is in accordance with section 751(a)(2)(B)(iv) of the Act.

Dated: December 19, 1996.
Barbara R. Stafford,
Deputy Assistant Secretary of AD/CVD
Enforcement.
[FR Doc. 96-33177 Filed 12-27-96; 8:45 am]
BILLING CODE 3510-DS-P

[C-357-403, C-357-005]

Oil Country Tubular Goods From Argentina and Cold-Rolled Carbon Steel Flat Products From Argentina: Preliminary Results of Countervailing Duty Administrative Reviews/Intent To Terminate Administrative Reviews

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

ACTION: Notice of preliminary results of countervailing duty administrative reviews; intent to terminate administrative reviews.

SUMMARY: The Department of Commerce ("the Department") is conducting administrative reviews of the countervailing duty order on Oil Country Tubular Goods (OCTG) from Argentina for the periods 1992, 1993, and 1994, pursuant to section 751(a) of the Tariff Act of 1930, as amended (the "Act"). Also pursuant to section 751(a), the Department is conducting reviews of the countervailing duty order on Cold-Rolled Carbon Steel Flat Products (Cold-Rolled Steel) from Argentina for the periods 1992 and 1993.

The Department is also conducting changed circumstances reviews of the orders on OCTG and Cold-Rolled Steel from Argentina pursuant to section 751(b) of the Act. *Initiation of Changed Circumstances Countervailing Duty Administrative Reviews: Leather from Argentina, Wool from Argentina, Oil Country Tubular Goods from Argentina, and Cold-Rolled Carbon Steel Flat Products from Argentina*, 61 FR 14553 (April 2, 1996) (*Changed Circumstances*

Reviews). These reviews are focused on the legal effect, if any, of Argentina's status as a "country under the Agreement," within the meaning of 19 U.S.C. §1303(a)(1) (1988; repealed 1994), as of September 20, 1991, on the countervailing duty orders covering leather, wool, OCTG, and Cold-Rolled Steel.

Because the administrative reviews cover periods after September 20, 1991, we have had to consider in these administrative reviews a question which is also at issue in the changed circumstances reviews—that is, whether the Department has the authority to assess countervailing duties on unliquidated entries of subject merchandise occurring after Argentina became a "country under the Agreement" and before January 1, 1995, the date that Argentina became a "Subsidies Agreement country" within the meaning of section 701(b) of the Act.

The Department preliminarily determines that it lacks the authority to assess countervailing duties on entries of OCTG and Cold-Rolled Steel from Argentina made on or after September 20, 1991 and on or before December 31, 1994. As a result, we intend to terminate the pending administrative reviews of the countervailing duty order on OCTG covering 1992, 1993, and 1994, as well as the pending administrative reviews of the countervailing duty order on Cold-Rolled Steel covering 1992 and 1993. The question of the Department's authority to assess duties on unliquidated entries of the subject merchandise made on or after January 1, 1995 under these orders (and whether to revoke these orders) remains to be determined in the context of the ongoing changed circumstances reviews.

If the final results of these administrative reviews remain the same as these preliminary results, we will instruct the U.S. Customs Service to liquidate all entries of OCTG and Cold-Rolled Steel subject to these administrative reviews without regard to countervailing duties as detailed in the *Preliminary Results of Reviews* section of this notice. Suspension of liquidation will continue at a cash deposit rate of zero for OCTG, as indicated in the section below entitled *Suspension of Liquidation*. Interested parties are invited to comment on these preliminary results. (See *Public Comment* section of this notice.)

EFFECTIVE DATE: December 30, 1996.

FOR FURTHER INFORMATION CONTACT: Dana Mermelstein or Megan Waters, Office CVD/AD Enforcement VI, Import Administration, International Trade

Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2786.

SUPPLEMENTARY INFORMATION:

Background

On November 27, 1984, the Department published in the Federal Register (49 FR 46564) the countervailing duty order on OCTG from Argentina. The countervailing duty order on Cold-Rolled Steel from Argentina was published in the Federal Register (49 FR 18006) on April 26, 1984.

On November 1, 1995, November 10, 1994, and November 3, 1993, the Department published its annual notice of "Opportunity to Request Administrative Review" (60 FR 55540, 59 FR 56034, and 58 FR 58682) regarding the OCTG countervailing duty order. We received timely requests for each of these administrative reviews and we initiated the reviews pursuant to section 751(a) of the Act. The review of OCTG covering the period January 1 through December 31, 1994, was initiated on December 15, 1995 (60 FR 64413). The review of OCTG covering the period January 1 through December 31, 1993, was initiated on December 15, 1994 (59 FR 64650). The review of OCTG covering the period January 1 through December 31, 1992, was initiated on December 17, 1993 (58 FR 65964).

On April 7, 1994 and April 9, 1993, the Department published its annual notice of "Opportunity to Request Administrative Review" (59 FR 16615 and 58 FR 18374) regarding the countervailing duty order on Cold-Rolled Steel from Argentina. We received timely requests for each of these administrative reviews and we initiated the reviews pursuant to section 751(a) of the Act. The review of Cold-Rolled Steel covering the period January 1 through December 31, 1993, was initiated on May 12, 1994 (59 FR 24683). The review of Cold-Rolled Steel covering the period January 1 through December 31, 1992, was initiated on May 27, 1993 (58 FR 30767).

The Ceramica Decision

On September 6, 1995, the Court of Appeals for the Federal Circuit (CAFC) held, in a case involving imports of dutiable ceramic tile, that Mexico became a "country under the Agreement" within the meaning of 19 U.S.C. §1303(a)(1) (1988; repealed 1994) on the date that it signed its "Understanding" with the United States "Regarding Subsidies and

Countervailing Duties" ("Mexican MOU"). *Ceramica Regiomontana v. United States*, 64 F.3d 1579, 1583 (Fed. Cir. 1995) (*Ceramica*). According to the court, language in the agreement which suggested a later date (*i.e.*, only for pending and new investigations) was "trumped" by the statute. *Id.*

Once Mexico became a country under the Agreement, the court declared, the Department could not assess countervailing duties on tile from that country under former section 303(a)(1) of the Act. 64 F.3d at 1582. "After Mexico became a 'country under the Agreement,' the only provision under which ITA could continue to impose countervailing duties was section 1671." *Id.*

One of the prerequisites to the assessment of countervailing duties under 19 U.S.C. 1671 (1988) is an affirmative injury determination. See *also Id.* at §1671e. However, at the time the countervailing duty order on ceramic tile was issued, the requirement of an affirmative injury determination under U.S. law was not applicable. Therefore, the court looked to see whether the statute contained any means by which the order on tile could receive an injury test. Specifically, the court looked at section 104(b) of the Trade Agreements Act of 1979, Public Law N. 96-39 (July 20, 1979) (1979 Act).

Section 104(b) was designed to provide an injury test for certain countervailing duty orders issued under former section 303 prior to the effective date of the 1979 Act (which established Title VII and, in particular, section 701 of the Act). However, in order to induce other countries to accede to the 1979 Subsidies Code (or substantially equivalent agreements), the window of opportunity was intentionally limited. In order to qualify (i) the exporting nation had to be a country under the Agreement (*e.g.*, a signatory of the Subsidies Code) by January 1, 1980, (ii) the order had to be in existence on January 1, 1980 (*i.e.*, the effective date of Title VII), and (iii) the exporting country (or in some instances its exporters) had to request the injury test on or before January 2, 1983.

The countervailing duty order on ceramic tile from Mexico was issued in 1982 and Mexico did not become a country under the Agreement until April 23, 1985. Therefore, the court held that, in the absence of an injury test and the statutory means to provide one, the Department could not assess countervailing duties on ceramic tile and ordered the Department to revoke the order effective April 23, 1985. *Ceramica*, 64 F.3d at 1583.

The Argentine Memorandum of Understanding

The effective date of the Understanding Between the United States of America and the Republic of Argentina Regarding Subsidies and Countervailing Duties (Argentine MOU), under which Argentina attained the status of a "country under the Agreement," was September 20, 1991. Therefore, in consideration of the *Ceramica* decision, on April 2, 1996, the Department initiated changed circumstances reviews of the orders on Leather, Wool, OCTG and Cold-Rolled Steel from Argentina. *Changed Circumstances Reviews*, 61 FR at 14553. The Department initiated these reviews to determine whether Argentina's status as a "country under the Agreement" affects its authority to assess countervailing duties on unliquidated entries of subject merchandise occurring after September 20, 1991. As part of this inquiry, the Department will determine whether the requests for injury investigations received by the U.S. International Trade Commission under section 753(a) of the Act in connection with the countervailing duty orders covering Leather, Wool, and OCTG from Argentina have any bearing on the Department's authority to assess duties on entries occurring on or after January 1, 1995.

Scope of the Reviews

OCTG from Argentina.

Imports covered by this order include shipments of Argentine oil country tubular goods. Oil country tubular goods include hollow steel products of circular cross-section intended for use in the drilling of oil or gas and oil well casing, tubing and drill pipe or carbon or alloy steel, whether welded or seamless, manufactured to either American Petroleum Institute (API) or proprietary specifications. The scope covers both finished and unfinished OCTG. The products covered in this review are provided for under item numbers of the *Harmonized Tariff Schedule* (HTS): 7304.20.20, 7304.20.40, 7304.20.50, 7304.20.60, 7304.20.80, 7304.39.00, 7304.51.50, 7304.20.70, 7304.59.60, 7304.59.80, 7304.90.70, 7305.20.40, 7305.20.60, 7305.20.80, 7305.31.40, 7305.31.60, 7305.39.10, 7305.39.50, 7305.90.10, 7305.90.50, 7306.20.20, 7306.20.30, 7306.20.40, 7306.20.60, 7306.20.80, 7306.30.50, 7306.50.50, 7306.60.70, 7306.90.10. The HTS subheadings are provided for convenience and Customs purposes. The written description remains dispositive.

Cold-Rolled Steel from Argentina. Imports covered by this order include shipments of Argentine cold-rolled carbon steel flat products, whether or not corrugated or crimped; whether or not painted or varnished and whether or not pickled; not cut, not pressed, and not stamped to non-rectangular shape; not coated or plated with metal; over 12 inches in width and under 0.1875 inches in thickness whether or not in coils; as currently provided for under the following item numbers of the HTS: 7209.11.00, 7209.12.00, 7209.13.00, 7209.14.00, 7209.21.00, 7209.22.00, 7209.23.00, 7209.24.00, 7209.31.00, 7209.32.00, 7209.33.00, 7209.34.00, 7209.41.00, 7209.42.00, 7209.43.00, 7209.44.00, 7209.90.00, 7210.70.00, 7211.30.50, 7211.41.70, 7211.49.50, 7211.90.00, 7212.40.50. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Preliminary Results of Reviews / Intent To Terminate Administrative Reviews

Unliquidated entries of subject merchandise which occurred on or after September 20, 1991 and on or before December 31, 1994, involve the same set of pertinent facts as the Department faced in connection with the countervailing duty order on ceramic tile from Mexico.

First, at the time the countervailing duty orders on Mexico and Argentina were issued, the requirement of an affirmative injury determination under U.S. law was not applicable. Second, both countries concluded similar agreements with the United States which resulted in their becoming "countries under the Agreement" within the meaning of former section 303(a)(1) of the Act. Third, at the time Mexico and Argentina qualified as countries under the Agreement, the assessment of countervailing duties on subsequent entries of dutiable merchandise became dependent upon a finding of subsidization and injury in accordance with section 701 of the Act. Fourth, none of the transition rules in the statute can be applied to the subject entries. Specifically, section 104 of the 1979 Act only applies to countervailing duty orders issued before January 1, 1980. Also, there is a question, at issue in the changed circumstances reviews, whether section 753 of the Act applies to these orders. In all events, however, it is clear that section 753 does not apply to entries occurring on or before December 31, 1994.

Therefore, we preliminarily determine that the Department cannot assess duties on entries made on or after September 20, 1991 and on or before

December 31, 1994. If these preliminary results are made final, the Department will terminate these administrative reviews. However, we intend to complete the pending 1991 administrative reviews of these two orders in order to determine the appropriate countervailing duty assessment rate for those 1991 entries made prior to September 20, 1991. The question of the Department's authority to assess duties on unliquidated entries of OCTG made on or after January 1, 1995 remains to be determined in the context of the ongoing changed circumstances reviews.

Suspension of Liquidation

The suspension of liquidation for entries of Cold-Rolled Steel and OCTG from Argentina made on or after January 1, 1991 and before September 20, 1991 will continue pending the completion of the 1991 administrative reviews. The suspension of liquidation for entries of OCTG from Argentina made on or after January 1, 1995 will continue, at the cash deposit rate of zero. Because the countervailing duty order on Cold-Rolled Steel was revoked effective January 1, 1995 (60 FR 40568), the Department instructed Customs to discontinue the suspension of liquidation for entries made on or after that date.

Public Comment

Interested parties may request a hearing not later than 10 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. We request that parties limit arguments in the case briefs to the issue of whether the Department has the authority to assess countervailing duties on shipments of OCTG and Cold-Rolled Steel from Argentina entered on or after September 20, 1991 and on or before December 31, 1994. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted seven days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Any hearing, if requested, will be held seven days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 C.F.R. §355.38.

The Department will publish the final results of these administrative reviews, including the results of its analysis of

issues raised in any case or rebuttal brief or at a hearing.

These administrative reviews and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: December 20, 1996.

Robert S. LaRussa,
Acting Assistant Secretary for Import Administration.

[FR Doc. 96-33175 Filed 12-27-96; 8:45 am]

BILLING CODE 3510-DS-P

National Institute of Standards and Technology

[Docket No. 961121324-6364-02]

RIN 0693-ZA14

Announcement of Availability of Funding for Focused Program Competitions—Advanced Technology Program (ATP)

AGENCY: National Institute of Standards and Technology, Technology Administration, Commerce.

ACTION: Notice.

SUMMARY: The Technology Administration's National Institute of Standards and Technology (NIST) announces the availability of funding for two Focused Program competitions under the Advanced Technology Program (ATP) for fiscal year 1997, targeted on specific technology areas. The two Focused Program competitions being held are: (1) Motor Vehicle Manufacturing Technology (97-02) and (2) Information Infrastructure for Healthcare (97-03). This notice provides general information for these Focused Program competitions.

DATES: Proposal due dates and other specific instructions will be published in the Commerce Business Daily (CBD) at the time the competitions are announced. Dates, times, and locations of Proposers' Conferences held for interested parties considering applying for funding will also be announced in the CBD.

ADDRESSES: Information on the ATP may be obtained from the following address: National Institute of Standards and Technology, Advanced Technology Program, Administration Building (Bldg. 101), Room A407, Quince Orchard & Clopper Roads, Gaithersburg, MD 20899-0001.

Additionally, information on the ATP is available on the Internet through the World Wide Web (WWW) at <http://www.atp.nist.gov>.

FOR FURTHER INFORMATION CONTACT: Requests for ATP information,

application materials, and/or to have your name added to the ATP mailing list for future mailings may also be made by:

(a) Calling the ATP toll-free "hotline" number at 1-800-ATP-FUND or 1-800-287-3863. You will have the option of hearing recorded messages regarding the status of the ATP or speaking to one of our customer representatives who will take your name and address. If our representatives are all busy when you call, leave a message after the tone. To ensure that the information is entered correctly, please speak distinctly and slowly and spell the words that might cause confusion. Leave your phone number as well as your name and address;

(b) Sending a facsimile (fax) to 301-926-9524 or 301-590-3053; or

(c) Sending electronic mail to atp@nist.gov. Include your name, full mailing address, and phone number.

SUPPLEMENTARY INFORMATION:

Background

The statutory authority for the ATP is Section 5131 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100-418, 15 U.S.C. 278n), as modified by Public Law 102-245. The ATP implementing regulations are published at 15 CFR Part 295. The Catalog of Federal Domestic Assistance (CFDA) number and program title for the ATP are 11.612, Advanced Technology Program (ATP).

The ATP is a rigorously competitive cost-sharing program designed to assist United States industry/businesses pursue high-risk, enabling technologies with significant commercial/economic potential. The ATP provides multi-year funding to single companies and to industry-led joint ventures to pursue research and development (R&D) projects with high-payoff potential for the nation. The ATP accelerates enabling technologies that, because they are risky, are unlikely to be developed in time to compete in rapidly changing world markets without such a partnership between industry and the Federal government. The ATP challenges industry to take on projects characterized by high technical risk but commensurately high potential payoff to the nation. Proposers must provide credible arguments as to the project feasibility.

The funding instrument used in ATP awards is a "cooperative agreement." Through the cooperative agreement, the ATP fosters a government-industry partnership to accomplish a public purpose of support or stimulation. NIST plays a substantial role in these awards

by providing technical assistance and monitoring the technical work and business progress.

Funding Availability

An estimated \$10 million to \$15 million in first year funding is available for each of the two Focused Program Competitions. The ATP reserves the right to utilize for any competition more or less funding than the amounts stated above. The actual number of proposals funded will depend on the quality of the proposals received and the amount of funding requested in the highest ranked proposals. Outyear funding beyond the first year is contingent on the approval of future Congressional appropriations and satisfactory project performance.

Eligibility Requirements, Selection Criteria, and Proposal Review Process

The eligibility requirements, selection criteria, and the proposal review process are discussed in detail in the ATP implementing regulations published at 15 CFR Part 295.

Funding Amounts, Award Period and Cost Sharing (Matching) Requirements

(a) Single companies can receive up to \$2 million of ATP funds for up to 3 years. Single companies do not have to provide matching funds, but they are reimbursed for direct costs only. Single companies are responsible for securing funding for all overhead/indirect costs.

(b) Joint ventures can receive a minority share of the total project costs for up to 5 years. Joint ventures must cost-share (matching funds) more than 50 percent of the total project costs (direct plus indirect costs) for each quarter that the ATP funds the project. Subcontractors funded under an ATP cooperative agreement may not contribute towards the matching-fund requirement.

Application Forms and Proposal Preparation Kit

A new November 1996 version of the ATP Proposal Preparation Kit is available upon request from the ATP at the address and phone numbers noted in this notice. Note that the ATP mailed the Kit to all those individuals whose names are currently on the ATP mailing list. The Kit contains proposal cover sheets, other required forms, background material, and instructions for submission of proposals. All proposals must be prepared in accordance with the instructions in the Kit.

Submission of Revised Proposals

An applicant may submit a full proposal that is a revised version of a