

pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the LOT of the export transaction, we make a LOT adjustment under section 773(a)(7)(A) of the Act. Finally, for CEP sales, if the NV level is more remote from the factory than the CEP level and there is no basis for determining whether the difference in the levels between NV and CEP affects price comparability, we adjust NV under section 773(a)(7)(B) of the Act (the CEP offset provision). See *Carbon Steel Plate*, 62 FR at 61732, 61733.

ICI did not claim a LOT adjustment. Nevertheless, we evaluated whether a LOT adjustment was necessary by examining ICI's distribution system, including selling functions, classes of customers, and selling expenses. In reviewing ICI's home market distribution channels, we found that the POR sales of the merchandise under review were made at only one LOT in the home market. With respect to U.S. sales, after making deductions to the CEP sales pursuant to section 772(d) of the Act, we found the selling activities performed by ICI for the CEP sales to its affiliate were limited to order processing and arranging transportation. Therefore, we found that the selling functions performed for the NV LOT (*i.e.*, sales solicitation, price negotiation, customer visits, advertising, technical support, invoicing, and billing adjustment) were different and more advanced than the selling functions performed for the US LOT. We, therefore, evaluated whether we could determine if the difference in LOT affected price comparability. The effect on price comparability must be demonstrated by a pattern of consistent price differences between sales at the two relevant LOTs in the comparison market. Because there was only one home market LOT, we were unable to determine whether there was a pattern of consistent price differences based on home market sales of subject merchandise, and, therefore, were unable to quantify a LOT adjustment based on a pattern of consistent price differences, in accordance with section 773(a)(7)(B) of the Act. Therefore, we have preliminarily determined to grant a CEP offset to ICI. See *Memorandum Regarding Industrial Nitrocellulose from the United Kingdom-Level of Trade Analysis-Imperial Chemical Industries, PLC*, dated March 15, 2001.

#### Currency Conversion

For purposes of the preliminary results, we made currency conversions in accordance with section 773A of the Act, based on the exchange rates in effect on the dates of the U.S. sales as

certified by the Federal Reserve Bank of New York. See *Change in Policy Regarding Currency Conversions*, 61 FR 9434 (March 8, 1996).

#### Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists:

Exporter/Manufacturer	Weighted average margin
Imperial Chemical Industries PLC .....	3.52%

We will disclose the calculations used in our analysis to parties to this proceeding within five days of the publication date of this notice. See 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the date of publication of this notice. See 19 CFR 351.310(c). Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Parties who submit case briefs in this proceeding should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. Further, we would appreciate it if parties submitting written comments would provide the Department with an additional copy of the public version of any such comments on diskette. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or at the hearing, within 120 days from the publication of these preliminary results.

#### Assessment Rate

Pursuant to 19 CFR 351.212(b), the Department shall determine, and the United States Customs Service shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales and dividing this amount by the estimated entered value (provided by respondent) of the same merchandise on an importer-specific basis. Upon completion of this review, where the importer-specific assessment rate is above *de minimis*, the Department will instruct the U.S. Customs Service to

assess antidumping duties on all entries of subject merchandise by that importer during the POR.

#### Cash Deposit Requirements

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: April 2, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, Import Administration.*

[FR Doc. 01-8936 Filed 4-10-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-560-811; A-455-803; A-823-809]

#### Notice of Final Determinations of Sales at Less Than Fair Value: Steel Concrete Reinforcing Bars from Indonesia, Poland and Ukraine

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

**EFFECTIVE DATE:** April 11, 2001.

**FOR FURTHER INFORMATION CONTACT:** Maisha Cryor at (202) 482-5831 (for Indonesia), Valerie Ellis at (202) 482-2336 (for Poland), or Keir Whitson at (202) 482-1777 (for Ukraine), AD/CVD Enforcement, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### 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's regulations are to 19 CFR part 351 (2000).

### Background

On January 30, 2001, the Department published the preliminary determinations of the antidumping investigations of rebar from Indonesia, Poland and Ukraine. See *Notice of Preliminary Determinations of Sales at Less Than Fair Value: Steel Concrete Reinforcing Bars from Poland, Indonesia and Ukraine*, 66 FR 8343 (January 30, 2001) (*Preliminary Determinations*). We gave interested parties an opportunity to comment on our preliminary determinations. On March 6, 2001, the petitioner filed a case brief in the investigation involving Ukraine. No rebuttal brief was submitted on behalf of Ukraine, nor were case briefs or rebuttal briefs filed in cases involving Indonesia and Poland. The Department received no requests for a public hearing in any of the three cases.

Section 734(m) of the Act states that in the case of regional industry investigations, the administering authority shall offer exporters the opportunity to enter into suspension agreements. Proposed and finalized agreements in these cases must comport with the requirements set forth under section 734 of the Act for the suspension of antidumping duty investigations. All exporters participating in the instant investigations were aware of their opportunity to propose suspension agreements. However, the Department did not accept any suspension agreements in these proceedings. See Memorandum from Holly A. Kuga to The File, dated April 2, 2001.

The Department has conducted these investigations in accordance with section 751 of the Act.

### Scope of Investigations

For purposes of these investigations, the product covered is all steel concrete reinforcing bars (rebar) sold in straight lengths, currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number 7214.20.00 or any other tariff item number. Specifically excluded are plain rounds (*i.e.*, non-deformed or smooth bars) and rebar that has been further processed through bending or coating. HTSUS subheadings are provided for convenience and Customs purposes. The written description of the scope of this proceeding is dispositive.

### Analysis of Comments Received

The only issue raised by any party involved the Ukraine investigation and is addressed in the "Issues and Decision

Memorandum" (*Decision Memorandum*), dated April 2, 2001, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the *Decision Memorandum*, is attached to this notice as an Appendix. Parties can find a complete discussion of the issue raised in these investigations and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099 ("B-099") of the main Department building. In addition, a complete version of the *Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov>. The paper copy and electronic version of the *Decision Memorandum* are identical in content.

### Use of Facts Available

In the preliminary determinations of these investigations, the Department preliminarily determined that the application of total adverse facts available was appropriate with respect to each mandatory respondent from Indonesia, Poland, and Ukraine. Specifically, the Department assigned to the mandatory respondents from Indonesia, Poland and Ukraine the highest margins alleged in the amendments to the respective petitions. The interested parties did not object to the use of adverse facts available for the mandatory respondents in the investigations from Indonesia and Poland, or to the Department's choice of facts available, and no new facts were submitted which would cause the Department to revisit this decision. Therefore, for the reasons set out in the *Preliminary Determinations*, 66 FR 8343, we have continued to use the highest margins alleged by the petitioner for the mandatory respondents from Indonesia and Poland for the purposes of this final determination notice. In addition, the Department has left unchanged from the preliminary determinations the "All Others Rate" in the investigations from Indonesia and Poland.

We received comments from the petitioner regarding the margin assigned in the Ukraine investigation. For the reasons set out in the *Decision Memorandum*, we have continued to use the highest margin alleged by the petitioner for the rebar produced/exported by Ukrainian firms.

### Critical Circumstances

In the petition, filed on June 28, 2000, the petitioner alleged that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of rebar from Poland.

On August 30, 2000, the Department preliminarily determined that critical circumstances exist with respect to exports of rebar from Poland. See *Memorandum to Holly A. Kuga Re: Preliminary Affirmative Determinations of Critical Circumstances* (August 30, 2000); see also *Preliminary Determinations of Critical Circumstances: Steel Concrete Reinforcing Bars From the People's Republic of China and Poland*, 65 FR 54228 (September 7, 2000).

In a letter filed on August 22, 2000, the petitioner alleged that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of rebar from Ukraine. On November 27, 2000, the Department preliminarily determined that critical circumstances exist for imports of rebar from Ukraine. See *Preliminary Determinations of Critical Circumstances: Steel Concrete Reinforcing Bars From Ukraine and Moldova*, 65 FR 70696 (November 27, 2000).

No comments were filed since the preliminary determinations on the issue of critical circumstances by any party in the Poland or Ukraine proceedings, and there were no new facts discovered by the Department. Therefore, for the reasons specified in our preliminary determinations, we continue to find that critical circumstances exist in the cases of Poland and Ukraine.

### Final Determinations of Investigations

We determine that the following percentage weighted-average margins exist for the periods April 1, 1999, through March 31, 2000 (for Indonesia and Poland), and October 1, 1999 through March 31, 2000 (for Ukraine):

Manufacturer/exporter	Margin (percent)
Poland:	
Stalexport .....	52.07
All others .....	47.13
Indonesia:	
Sakti .....	71.01
Bhirma .....	71.01
Krakatau .....	71.01
Perdana .....	71.01
Hanil .....	71.01
Pulogadung .....	71.01
Tunggal .....	71.01
Master Steel .....	71.01
All others .....	60.46
Ukraine:	
Ukraine-Wide Rate .....	41.69

### Suspension of Liquidation

Pursuant to section 735(c)(1)(B) of the Act, we are instructing the U.S. Customs Service to continue to suspend liquidation of all entries of rebar from

Indonesia that are entered, or withdrawn from warehouse, for consumption on or after January 30, 2001 (the date of publication of the *Preliminary Determinations* in the **Federal Register**). For Poland and Ukraine, in accordance with section 735(c)(1)(B) of the Act, we are directing the Customs Service to continue to suspend liquidation of all entries of rebar that are entered, or withdrawn from warehouse, for consumption on or after November 1, 2000 (90 days prior to the date of publication of the *Preliminary Determinations* in the **Federal Register**). The Customs Service shall continue to require a cash deposit or the posting of a bond equal to the estimated amount by which the normal value exceeds the U.S. price as shown above. The suspension of liquidation instructions will remain in effect until further notice.

#### ITC Notification

In accordance with section 735(d) of the Act, we have notified the International Trade Commission (ITC) of our determinations. As our final determinations are affirmative, the ITC will determine, within 45 days, whether these imports are causing material injury, or threat of material injury, to an industry in the United States. If the ITC determines that material injury, or threat of injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping order directing Customs officials to assess antidumping duties on all imports of the subject merchandise entered or withdrawn from warehouse for consumption on or after the effective date of the suspension of liquidation.

These determinations are issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: April 2, 2001.

**Timothy J. Hauser,**

*Acting Under Secretary for International Trade.*

#### Appendix—Issues in Decision Memorandum

##### *Comment and Response*

##### 1. Basis for Facts Available Margin

[FR Doc. 01-8935 Filed 4-10-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of California, Davis; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5:00 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

*Docket Number:* 01-004. *Applicant:* University of California, Davis, CA 95616-8711. *Instrument:* Multielectrode Neuronal Manipulator, Model Eckhorn-7. *Manufacturer:* UWE Thomas Recording, Germany. *Intended Use:* See notice at 66 FR 9557, February 8, 2001.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States.

*Reasons:* The foreign instrument provides a precise positioning system which can insert up to 7 very fine glass-coated microelectrodes (diameter to 25  $\mu\text{m}$ ) in 1  $\mu\text{m}$  steps to selected positions through the dura into the brain of a test animal. The National Institutes of Health advises in its memorandum of March 12, 2001 that (1) this capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 01-8937 Filed 4-10-01; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Manufacturing Extension Partnership National Advisory Board

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of partially closed meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that the Manufacturing Extension Partnership National Advisory Board (MEPNAB), National Institute of Standards and Technology (NIST), will meet Thursday, May 10, 2001 from 8 am to 3:30 pm. The MEPNAB is composed of nine members appointed by the Director of NIST who were selected for their expertise in the area of industrial extension and their work on behalf of smaller manufacturers. The Board was established to fill a need for outside input on MEP. MEP is a unique program consisting of centers in all 50 states and Puerto Rico. The centers have been created by state, federal, and local partnerships. The board works closely with MEP to provide input and advice on MEP's programs, plans, and policies. The purpose of this meeting is to look at center marketing and sales operations from the national perspective and what NIST MEP is planning and what best practices can be shared across the system. The Board will also hear progress of MEP's new market research project. Discussions scheduled to begin at 8 am and to end at 9:30 am and to begin at 2:30 pm and to end at 3:30 pm on May 10, 2001, on personnel issues and proprietary budget information will be closed.

**DATES:** The meeting will convene May 10, 2001 at 8 am and will adjourn at 3:30 pm on May 10, 2001.

**ADDRESSES:** The meeting will be held at the Gaithersburg Marriott Washingtonian Center, Salon A, 9751 Washingtonian Boulevard, Gaithersburg, Maryland 20878.

**FOR FURTHER INFORMATION CONTACT:** Linda Acierto, Senior Policy Advisor, Manufacturing Extension Partnership, National Institute of Standards and Technology, Gaithersburg, MD 20899-4800, telephone number (301) 975-5033.

**SUPPLEMENTARY INFORMATION:** The Assistant Secretary for Administration with the concurrence of the General Counsel formally determined on December 18, 2000, that portions of the meeting which involve discussion of proposed funding of the MEP may be closed in accordance with 5 U.S.C. 552b(c)(9)(B), because that portion will divulge matters the premature disclosure of which would be likely to significantly frustrate implementation of proposed agency actions; and that portions of the meeting which involve discussion of the staffing of positions in