governments delinquent in providing audits to the Federal Audit Clearinghouse is provided to the OMB in April as required under the Single Audit Act Amendments of 1996.

Affected Public: State, local or tribal government; Not-for-profit institutions.

Frequency: Annually.

Respondent's Obligation: Voluntary.

Legal Authority: OMB Circular A–133, ''Audits of States, Local Governments, and Non-Profit Organizations''; Single Audit Act Amendments of 1996 (Public Law 104–156).

OMB Desk Officer: Jerry Coffey, (202) 395–7314.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482–3272, Department of Commerce, room 5327, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jerry Coffey, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: September 8, 1997.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 97–24322 Filed 9–12–97; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Office of the Secretary

Performance Review Board; Membership

The following individuals are eligible to serve on the Performance Review Board in accordance with the Office of the Secretary Senior Executive Service performance appraisal system:

Eileen M. Albanese
Mark E. Brown
Frank W. Deliberti
Ronald P. Hack
Shirl G. Kinney
Clyde W. Robinson, Jr.
Sonya G. Stewart
Kathleen J. Taylor
Paul R. Webber, IV

Anthony J. Calza,

Acting Executive Secretary, Office of the Secretary, Performance Review Board.

[FR Doc. 97–24397 Filed 9–12–97; 8:45 am]

BILLING CODE 3510–BS–M

DEPARTMENT OF COMMERCE

Economic Development Administration

Performance Review Board; Membership

The following individuals are eligible to serve on the Performance Review Board in accordance with the Economic Development Administration Senior Executive Service performance appraisal system:

John E. Corrigan
Wilbur F. Hawkins
John D. Newell
Charles R. Sawyer
Chester J. Straub, Jr.

Anthony J. Calza,

Acting Executive Secretary, Economic Development Administration, Performance Review Board.

[FR Doc. 97–24399 Filed 9–12–97; 8:45 am]

BILLING CODE 3510–BS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–601]

Brass Sheet and Strip From Canada, Antidumping Duty Administrative Review; Time Limits

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

ACTION: Notice of extension of time limit for preliminary results.

SUMMARY: At the request of the petitioner, the Department of Commerce (the Department) is extending the time limit for the preliminary results of the antidumping duty administrative review of Brass Sheet and Strip from Canada. The review covers one manufacturer/exporter of the subject merchandise to the United States and the period January 1, 1996 to December 31, 1996.

EFFECTIVE DATE: September 15, 1997.

FOR FURTHER INFORMATION CONTACT: Paul M. Stolz or Tom Futtner, Program Manager, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–4474 or (202) 482–3814 respectively.

SUPPLEMENTARY INFORMATION: Respondent in this review has requested revocation of the antidumping duty order with respect to its shipments of the subject merchandise to the United States. Verification is required. Petitioner has submitted a request for an extension of the deadline for the preliminary results stating that the issue of revocation calls for development of the record and thorough analysis. Petitioner states that it is not practicable to complete the review by the current deadline, October 3, 1997. In this case we agree with the petitioner and have determined that additional time is required to adequately develop the record with respect to revocation and to conduct verification. Thus, in accordance with section 353.22(c)(4) of our regulations, we are extending the time limit for the completion of the preliminary results to January 31, 1998. (*See* Memorandum from Jeffrey P. Bialos to Robert S. LaRussa.) We will issue our final results for this review within 120 days after publication of the preliminary results.

This extension is in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(3)(A)).

Dated: September 5, 1997.

Jeffrey P. Bialos,

Principal Deputy Assistant Secretary for Import Administration.

[FR Doc. 97–24279 Filed 9–12–97; 8:45 am]

BILLING CODE 3510–DS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–423–805]

Cut-to-Length Carbon Steel Plate From Belgium: Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of antidumping duty administrative review.

SUMMARY: In response to requests from petitioners and respondent, the Department of Commerce (''the Department'') is conducting an administrative review of the antidumping duty order on Cut-to-Length Carbon Steel Plate from Belgium (58 FR 44164). This review covers one manufacturer and exporter of the subject merchandise. The period of review (''POR'') is August 1, 1995 through July 31, 1996.

We preliminarily determine that a *de minimis* dumping margin of 0.22 percent exists for Fabrique de Fer de Charleroi during the POR. Interested parties are invited to comment on these preliminary results. 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.

EFFECTIVE DATE: September 15, 1997.

FOR FURTHER INFORMATION CONTACT: Maureen McPhillips, Enforcement Group III, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Room 7866, Washington, DC 20230; telephone (202) 482–0405.

SUPPLEMENTARY INFORMATION:

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 Tariff Act of 1930 (''the Act'') by the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the **Federal Register** on May 11, 1995 (60 FR 25130).

Background

The Department published an antidumping duty order on Cut-to-Length Carbon Steel Plate from Belgium on August 19, 1993 (58 FR 44164). The Department published a notice of ''Opportunity to Request an Administrative Review'' of the antidumping duty order for the 1995/96 review period on August 12, 1996 (61 FR 41768). On August 20, 1996, respondent Fabrique de Fer de Charleroi, S.A. (''FAFER'') requested that the Department conduct an administrative review of the antidumping duty order on cut-to-length carbon steel plate from Belgium. On August 30, 1996, petitioners (Bethlehem Steel Corporation, U.S. Steel Company (a Unit of USX Corporation), Inland Steel industries, Inc. Geneva Steel, Gulf States Steel Inc. of Alabama, Sharon Steel Corporation, and Lukens Steel Company) requested that the Department conduct an administrative review of this order. We published a notice of initiation of this review on September 17, 1996 *See* 61 FR 48882 (September 17, 1996).

Scope of the Review

The products covered by this administrative review constitute one ''class or kind'' of merchandise: certain cut-to-length carbon steel plate. These products include hot-rolled carbon steel universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, or rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (HTS) under item numbers 7208.40.3030 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been ''worked after rolling'')—for example, products which have been beveled or rounded at the edges. Excluded is grade X–70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Verification

As provided in section 782(i)(3) of the Act, we verified information provided by the respondent using standard verification procedures, including on-site inspection of the manufacturer's facilities, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public versions of the verification reports.

Transactions Reviewed

In accordance with section 751 of the Act, the Department determined the constructed export price (CEP) and normal value (NV) of each sale to the first unaffiliated customer in the United States during the POR.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all plate products produced by the respondent, covered by the descriptions in the ''Scope of the Review'' section of this notice, *supra*, and sold in the home market during the POR, to be a foreign like product for purposes of determining appropriate product comparisons to U.S. sales. Where there were no sales of identical merchandise in the home market to compare to U.S. sales, we compared U.S. sales to the next most similar foreign like product on the basis of the characteristics listed in Appendix V of the Department's September 19, 1996, antidumping questionnaire. In making the product comparisons, we matched each foreign like product based on the physical characteristics reported by the respondent and verified by the Department. Where sales were made in the home market on a different weight basis from the U.S. sales (*e.g.*, theoretical versus actual weight), we converted all quantities to the same weight basis, using the conversion factors supplied by the respondent, before making our fair value comparisons.

Fair Value Comparisons

To determine whether sales of cut-to-length carbon steel plate by the respondent to the United States were made at less than fair value, we compared CEP to NV, as described in the ''Constructed Export Price'' and ''Normal Value'' sections of this notice. In accordance with section 77A(d)(2), we calculated monthly weighted average prices for NV and compared these to individual U.S. transactions.

Constructed Export Price (CEP)

We have preliminarily determined the U.S. sales reported as EP sales were CEP sales. Our determination is based on the evidence in the record of this review establishing that U.S. sales were made through an affiliated sales agent in which FAFER has a substantial equity interest and which performed more than clerical functions for the producer/exporter, as detailed in a proprietary memorandum to the file dated May 5, 1997.

Whenever sales are made prior to importation through an affiliated sales agent in the United States, The Department typically determines whether to characterize the sales as EP based upon the following criteria: (1) Whether the merchandise was shipped directly to the unaffiliated buyer, without being introduced into the affiliated selling agent's inventory; (2) whether this procedure is the customary sales channel between the parties; and (3) whether the affiliated selling agent located in the United States acts only as a processor of documentation and a

communication link between the foreign producer and the unrelated buyer. *See, e.g.,* Certain Cut-to-Length Carbon Steel Plate from Germany: Final Results of Antidumping Duty Administrative Review, 62 FR 18389, 18391 (April 15, 1997); Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled From Germany, 61 FR at 38174, 38175 (July 23, 1996); Certain Corrosion-Resistant Carbon Steel Flat Products From Korea: Final Results of Antidumping Duty Administrative Review, 61 FR 18547, 18551 (April 26, 1996). This test has been approved by the CIT. *Independent Radionic Workers of America* v. *United States,* Slip Op. 95–45 at 2–3 (CIT Mar. 15, 1995); *PQ Corp.* v. *United States,* 652 F. Supp. at 733–35 (CIT 1987).

Applying the first two criteria to the present review, the merchandise was shipped directly to the unaffiliated U.S. customer without being introduced into the agent's inventory. The Department verified that the terms of sale during the POR were CIF to a port of entry near the customer's plant, and that the agent did not take physical possession of the shipment. Moreover, we determined that this procedure was the customary sales channel between the two parties.

Concerning the third criterion, however, the Department has determined that the agent did act as more than a processor of sales documents and a communications link between the unaffiliated U.S. customer and FAFER, the producer in Belgium. Although FAFER sets minimum list prices, its sales agent negotiates the sale with the customer. *See* Verification Exhibit 10. The sales agent essentially negotiates all sales in accordance with FAFER's minimum price list and the sales take place in the United States, not in Belgium.

Because we have determined that the CEP methodology is appropriate, we sought to deduct from CEP the allocated actual selling expenses incurred by the agent, pursuant to section 772(d)(1) (C) and (D). In addition, we adjusted CEP, where appropriate, for all value added in the Untied States, including the proportional amount of profit attributable to the value added, pursuant to section 772(d)(2) and 772(d)(3) of the Act. *See* Final Determination of Sales at Less than Fair Value: Furfuryl Alcohol from South Africa, 60 FR 22550, 22552–53 (1995). In this case, however, respondent did not report indirect selling expenses incurred in either the U.S. or the home market. Therefore, in accordance with section 776(a) of the Act, the Department has deducted from CEP, as the ''facts otherwise available,'' the commission that FAFER paid its agent in connection with the U.S. sales.

We also rejected as unverifiable the interest rate reported by FAFER to calculate imputed credit expenses in the U.S. market, in accordance with section 776(a)(2)(D) of the Act. In its place, as the facts available, we used the average prime rate on short-term business loans in 1996, as reported by the Federal Reserve System.

Normal Value

Based on a comparison of the aggregate quantity of home market and U.S. sales, we determined that the quantity of foreign like product sold in the exporting country was sufficient to permit a proper comparison with the sales of the subject merchandise to the United States, pursuant to section 773(a) of the Act. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the price at which the foreign like product was first sold to an unaffiliated customer for consumption in the home market, in the usual commercial quantities and in the ordinary course of trade.

We have preliminarily determined that sales of subject merchandise to a Belgian university research center were outside the ordinary course of trade. The relevant statutory provision defines the term ''ordinary course of trade'' as ''the conditions and practices which, for a reasonable time prior to the exportation of the subject merchandise, have been normal in the trade under consideration with respect to merchandise of the same class or kind.'' The statute defines certain sales below cost of production and sales to affiliated parties that are not made at arm's length as sales outside the ordinary course of trade. *See* section 771(15) of the Act. However, the statute does not specify any criteria that the Department should use in determining appropriate ''conditions and practices.''

The purpose of the ordinary course of trade provision is to prevent dumping margins from being based on sales which are not representative of the home market. *See Monsanto Co.* v. *United States,* 698 F. Supp. 275, 278 (CIT 1988). Commerce examines the totality of the facts in each case to determine if sales are being made for ''unusual reasons'' or under ''unusual circumstances.'' Electrolytic Manganese Dioxide from Japan; Final Results of Antidumping Duty Administrative Review, 58 FR 28551, 28552 (1993).

In its Section B response of November 18, 1996, FAFER asked the Department to consider the sales to the university ''separately, as they cannot be deemed part of traditional mercantile operation.'' In making its determination to consider these sales as outside the ordinary course of trade, the Department took into account all facts, including the small number of these sales, the circumstance that these sales were made directly by FAFER, rather than by its sales agent in the home market, the fact that the models were unique during the POR, the fact that the merchandise was intended to be used for research at a welding institute and not for commercial purposes, and the fact that these were unprofitable. During the POR, the overwhelming majority of FAFER's home market sales was made through its affiliated sales agent to industrial end-users.

We have preliminarily determined that one home market customer, a steel service center to which FAFER sells directly, is an affiliated party. This finding is based on common control by the Boël family group within the meaning of section 771(33)(F), as detailed in a proprietary analysis memorandum to the file dated, May 5, 1997.

In regard to affiliated party transactions, the SAA states (quoting the statute):

> The traditional focus on control through stock ownership fails to address adequately modern business arrangements, which often find one firm ''operationally in a position to exercise restraint or direction'' over another even in the absence of an equity relationship. A company may be in a position to exercise restraint or direction, for example, through corporate or family groupings, franchises or joint venture agreements, debt financing, or close supplier relationships in which the supplier or buyer becomes reliant upon the other. SAA at 168 (emphasis added).

In FAFER's response to the Department's original questionnaire FAFER reported all of its customers as unaffiliated. However, information on corporate structure and possible affiliations revealed relationships that led us to examine the possibility that the Boël family exercises control over many business entities, including FAFER and one of its customers, a steel service center. In an effort to determine the nature and extent of the Boël family's control over its numerous affiliations, the Department requested FAFER to supply specific information on the shareholders of its various business associations. To date, FAFER has failed to provide the requested information on the Boël family's shareholdings.

Since this information is critical to our analysis, we have preliminarily determined that the Boël family controls both FAFER and the steel service center. It controls FAFER through the Board of

Directors (three out of five Directors are members of the Boël family) and, as facts otherwise available, controlling equity interests. In addition, FAFER holds shares in a private investment holding company whose Chairman is a member of the Boël family. This investment holding company owns a significant percentage of the shares of one of FAFER's customers, the steel service center. Because FAFER did not provide complete information on its shareholders and the shareholders of several holding companies, as requested by the Department, we preliminarily determine that the Boël family controls FAFER's customer through its board members and, as facts available, controlling equity interests.

Consequently, we ran our arm's length test and found that sales to the affiliated customer were not made at arm's length prices, *i.e.*, at prices comparable to prices at which the respondent sold identical merchandise to unaffiliated customer. Therefore, we did not use these sales in our calculations of the margin.

Based on the Department's previous determination to disregard sales made at below the cost of production (COP) in the original LTFV investigation, we had reasonable grounds to believe or suspect that sales of the foreign like product under consideration for the determination of NV in this review may have been made at prices below the COP, as provided by section 773(b)(2)(A)(i) of the Act. Therefore, pursuant to section 773(b)(1) of the Act, we initiated a COP investigation of sales by FAFER in the home market.

We compared sales of the foreign like product in the home market with the model-specific cost of production figure for the POR. In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product plus selling, general and administrative (SG&A) expenses and all costs and expenses incidental to placing the foreign like product in condition ready for shipment. Based on our verification of the cost responses submitted by FAFER, we adjusted the company's reported COP to reflect certain adjustments to the cost of manufacturing and general and administrative expenses. Specifically, we eliminated the double counting of scrap revenue, adjusted the raw material inputs for certain products to the actual quantities used, added an amount for major repair provisions to fixed overhead, recalculated G&A as a percentage of COM, and corrected several minor data errors.

After calculating COP, we tested whether home market sales of subject merchandise were made at prices below COP and, if so, whether the below-cost sales were made within an extended period of time in substantial quantities. Because each individual price was compared against the average COP during the extended window period, any sales that were below cost were also not at prices which permitted cost recovery within a reasonable period of time. We compared model-specific COPs to the reported home market prices less any applicable movement charges.

Pursuant to section 773(b)(2)(C) of the Act, where less than 20 percent of respondent's sales of a given product were at prices less than COP, we did not disregard any below-cost sales of that product because the below-cost sales were not made in substantial quantities within an extended period of time. Where 20 percent or more of respondent's sales of a given product during the POR were at prices less than the weighted-average COPs for the extended window period, we disregarded the below-cost sales because they were made within an extended period of time in substantial quantities in accordance with sections 773(b)(2) (B) and (C) of the Act, and were at prices which would not permit recovery of all costs within a reasonable period of time in accordance with section 773(b)(2)(D) of the Act. Where we disregarded all contemporaneous sales of a specific product, we calculated NV based on CV.

In accordance with section 773(e) of the Act, we calculated CV based on the sum of respondent's cost of materials, fabrication, SG&A, interest expenses, and profit. In accordance with sections 773(e)(2)(A), we based SG&A and profit on the amounts incurred and realized by the respondent in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country. For selling expenses, we used the weighted-average home-market selling expenses. Based on our verification of the cost response submitted by FAFER, we adjusted the reported CV to reflect adjustments to COM and G&A, as described in the COP section.

Differences in Levels of Trade

To the extent practicable, we determine normal value based on sales at the same level of trade as the U.S. sales (either EP or CEP). When there are no sales at the same level of trade we compare U.S. sales to home market (or, if appropriate, third country) sales at a different level of trade.

For both EP and CEP, the relevant transaction for level of trade is the sale from the exporter to the importer. While the starting price for CEP is that of a subsequent resale to an unaffiliated buyer, the construction of the EP results in a price that would have been charged if the importer had not been affiliated. We calculate the CEP by removing from the first resale to an independent U.S. customer the expenses under section 772(d) and the profit associated with these expenses. These expenses represent activities undertaken by, or on behalf of, the affiliated importer. Because the expenses deducted under section 772(d) represent selling activities in the United States, the deduction of these expenses normally yields a different level of trade for the CEP than for the later resale which is used for the starting price. Movement charges, duties and taxes deducted under 772(c) do not represent activities of the affiliated importer, and we do not remove them to obtain the level of trade. The NV level of trade is that of the starting price of sales in the home market. When NV is based on constructed value, the level of trade is that of the sales from which we derive SG&A and profit.

To determine whether home market sales are at a different level of trade than U.S. sales, we examine whether the home market sales are at different stages in the marketing process than the U.S. sales. The marketing process in both markets begins with goods being sold by the producer and extends to the sale to the final user, regardless of whether the final user is an individual consumer or an industrial user. The chain of distribution between the producer and final user may have many or few links, and each respondent's sales occur somewhere along this chain. In the United States the respondent's sales are generally to an importer, whether independent or affiliated. We review and compare the distribution systems in the home market and U.S. export markets, including selling functions, class of customer, and the extent and level of selling expenses for each claimed level of trade. Customer categories such as distributor, original equipment manufacturer (OEM), or wholesaler are commonly used by respondents to describe levels of trade but, without substantiation, are insufficient to establish that a claimed level of trade is valid. An analysis of selling functions substantiates or invalidates claimed levels of trade. If the claimed levels are different, the selling functions performed in selling to those levels should also be different.

Conversely, if levels of trade are nominally the same, the selling functions performed should also be the same. Different levels of trade necessarily involve differences in selling functions, but differences in selling functions, even substantial ones, are not alone sufficient to establish a difference in the level of trade. Differences in levels of trade are characterized by purchasers at different places in the chain of distribution and sellers performing qualitatively or quantitatively different functions in selling to them.

When we compare U.S. sales to home market sales at a different level of trade, we make a level-of-trade adjustment if the difference in level of trade affects price comparability. Any effect on price comparability is determined by examining sales at different levels of trade in a single market, the home market. Any price effect must be manifested in a pattern of consistent price differences between home market sales used for comparison and sales at the equivalent level of trade of the export transaction. To quantify the price differences, we calculate the difference in the average of the net prices of the same models sold at different levels of trade. We use the average difference in net prices to adjust the NV when NV is based on a level of trade different from that of the export sale. If there is a pattern of no price differences, then the difference in level of trade does not have a price effect, and no adjustment in necessary.

The statute also provides for an adjustment to NV when NV is based on a level of trade different from that of the CEP, provided the NV level is more remote from the factory than the CEP level, and we are unable to determine whether there is or is not a price effect of different levels of trade in the home market. See section 773(a)(7)(B). This latter situation can occur where there is no home market level of trade equivalent to the U.S. sales level, or where there is an equivalent home market level, but the data are insufficient to support a conclusion on price effect. This adjustment, the CEP offset, is the lower of the two following:

- The indirect selling expenses on the home market sale
- The indirect selling expenses deducted from the starting price used to calculate CEP.

The CEP offset is not automatic each time export price is constructed. We only make a CEP offset when the level of trade of the home market sale is more advanced than the level of trade of the CEP and there is not an appropriate basis for determining whether the different levels of trade affect price comparability.

In our supplemental questionnaire dated October 28, 1996, we asked FAFER to respond to the original questionnaire's inquiry on level of trade. In its November 5, 1996, response, FAFER stated that its selling activities in the U.S. and home markets did not warrant an adjustment related to level of trade. We found no indication at verification that FAFER sells at different levels of trade. Therefore, we made no adjustment.

Currency Conversion

For purposes of the Preliminary results, we made currency conversions based on the official exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank of New York. Section 773A(a) directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars, unless the daily rate involves a ''fluctuation.'' In accordance with the Department's practice, we have determined that a fluctuation exists when the daily exchange rate differs from a benchmark by 2.25 percent. *See, e.g.,* Certain Stainless Steel Wire Rods from France: Preliminary Results of Antidumping Duty Administrative Review (61 FR 8915, 8918—March 6, 1996). The benchmark is defined as the rolling average of rates for the past 40 business days.

Duty Absorption

On October 7, 1996, the petitioners requested, pursuant to section 751(a)(4) of the Act, that the Department determine whether antidumping duties had been absorbed by respondent during the POR. Section 751(a)(4) provides for the Department, if requested, to determine, during an administrative review initiated two years or four years after publication of the order, whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order if the subject merchandise is sold in the United States through an importer who is affiliated with such foreign producer or exporter. Section 751(a)(4) was added to the Act by the URAA. The Department's interim regulations do not address this provision of the Act.

For transition orders as defined in section 751(c)(6)(C) of the Act, *i.e.*, orders in effect as of January 1, 1995, section 351.213(j)(2) of the Department's new antidumping regulations provides that the Department will make a duty-absorption determination, if requested, in any administrative review initiated in 1996 or 1998. *See* 19 CFR § 351.213(j)(2), 62 FR 27394 (May 19, 1997). While the new regulations are not binding on the Department in the instant reviews, which were initiated under the interim regulations, they nevertheless serve as a statement of departmental policy. Because the order on cut-to-length carbon steel plate from Belgium has been in effect since 1993, it is a transition order in accordance with section 751(c)(6)(C) of the Act. Since this review was initiated in 1996 and a request for a duty-absorption inquiry was made, the Department will undertake a duty-absorption inquiry as part of this administrative review.

The Act provides for a determination on duty absorption if the subject merchandise is sold in the United States through an affiliated importer. In this case, the reviewed firm sold through an importer that is ''affiliated'' within the meaning of section 751(a)(4) of the Act. Furthermore, we have preliminarily determined that there is a dumping margin on one hundred percent of FAFER's sales. In addition, we cannot conclude from the record that the unaffiliated purchaser in the United States will pay the ultimate assessed duty. Therefore, under these circumstances, we preliminarily find that antidumping duties have been absorbed by FAFER on one hundred percent of its U.S. sales. If interested parties wish to submit evidence that the unaffiliated purchasers in the United States will pay any ultimately assessed duty charged to affiliated importers, they must do so no later than 15 days after publication of these preliminary results. This information would be considered by the Department if we determine in our final results that there are dumping margins on certain U.S. sales.

Preliminary Results of the Review

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

Manufacturer/exporter	Period of review	Margin (percent)
Fabrique de Fer de Charleroi	8/1/95–7/31/96	0.22

Parties to this proceeding may request disclosure within five days of publication of this notice and any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication of this notice. The Department will publish a notice of the final results of the administrative review, including its analysis of issues raised in any written comments or at a hearing, not later than 120 days after the date of publication of this notice.

Cash Deposit

The following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of cut-to-length carbon steel plate form Belgium entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this administrative review; (2) for exporters not covered in this review, but covered in the LTFV investigation, the cash deposit rate will continue to be the company-specific rate published from the LTFV investigation; (3) if the exporter is not a firm covered in this review, or the original LTFV, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 6.84 percent, the ''all others'' rate made effective by the LTFV investigation. These deposit requirements, when imposed, shall remain if effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR § 353.26 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 administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. § 1675(a)(1)) and 19 CFR § 353.22.

Dated: September 2, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97–24278 Filed 9–12–97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–820]

Ferrosilicon From Brazil: Extension of Time Limits of Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limits of antidumping duty administrative review.

SUMMARY: The Department of Commerce (the Department) is extending the time limits for the preliminary results in the administrative review of the antidumping duty order on ferrosilicon from Brazil, covering the period March 1, 1996 through February 28, 1997.

EFFECTIVE DATE: September 15, 1997.

FOR FURTHER INFORMATION CONTACT: Sal Tauhidi or Irene Darzenta, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th & Constitution Avenue, NW. Washington, DC 20230; telephone: (202) 482–4851 or (202) 482–6320.

SUPPLEMENTARY INFORMATION: On April 24, 1997, the Department initiated the administrative review of the antidumping duty order on ferrosilion from Brazil. The current time limits are December 1, 1997 for the preliminary results and April 2, 1998 for the final results. Because it is not practicable to complete this review within the original time limits as mandated by section 751(a)(3)(A) of the Tariff Act of 1930 (as amended by the Uruguay Round Agreements Act), the Department is extending the time limits for the preliminary results to January 12, 1997. (See Memorandum to Robert S. LaRussa, *Postponement of Preliminary Results of the Administrative Review on Ferrosilicon from Brazil,* September 2, 1997.) Accordingly, we will issue the final results within 120 days from the date of publication of the preliminary results.

These extensions are in accordance with section 751(a)(3)(A) of the Act.

Dated: September 8, 1997.

Jeffrey P. Bialos,

Principal Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–848]

Notice of Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Freshwater Crawfish Tail Meat From the People's Republic of China

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

EFFECTIVE DATE: (September 15, 1997.)

FOR FURTHER INFORMATION CONTACT: Elisabeth Urfer, Rebecca Trainor, or Maureen Flannery, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone: (202) 482–0780, (202) 482–0666, or (202) 482–3020, respectively.

Applicable Statute and Regulations

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 Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations as codified at 19 CFR Part 353 (April 1, 1997).

Case History and Amendment of the Final Determination

On August 1, 1997, the Department of Commerce (the Department) published in the **Federal Register** (62 FR 41347) the final determination of its sales-at-less-than-fair-value (LTFV) investigation of freshwater crawfish tail meat (crawfish tail meat) from the People's Republic of China (PRC). The investigation covered the period March 1, 1996 through August 31, 1996. We are amending the final determination to correct ministerial errors made in the list of exporters receiving weighted-average dumping margins. In the final determination, we inadvertently included Anhui Cereals, Oils and Foodstuffs Import and Export