

DC 20233; telephone 301-457-2308, TDD 301-457-2540.

SUPPLEMENTARY INFORMATION: The Committee considers the goals of Census 2000 and user needs for information provided by that census, and provides an outside user perspective about how operational planning and implementation methods proposed for Census 2000 will realize those goals and satisfy those needs. The 2000 Census Advisory Committee provides an opportunity for an open process that informs and welcomes public comment about all aspects of Census 2000. The Committee provides a targeted review focused on the conduct of Census 2000.

The 2000 Census Advisory Committee functions solely as an advisory body and complies fully with the provisions of the Federal Advisory Committee Act. The Committee consists of a Chair, Vice Chair, and a designated representative from each member organization. The Committee is composed of up to forty (40) member organizations. Sixteen (16) ex-officio members are invited to serve in a nonvoting capacity. Ex-officio members are representatives of the Postmaster General, the Chairperson and Ranking Members of the Census Oversight and Appropriations Committees and Subcommittees. The Census Advisory Committees on the African American Population, the American Indian and Alaska Native Populations, the Asian and Pacific Islander Populations, and the Hispanic Population designate one member, as a representative of those four committees, to serve as an ex-officio member. Also, the Committee may include up to four additional nonorganizational members that are appointed by, and serve at the pleasure of, the Secretary.

The Designated Federal Official for the Advisory Committee is the Principal Associate Director for Programs at the Bureau of the Census, reporting through the Under Secretary of Economic Affairs, to the Secretary of Commerce.

The Department of Commerce will file copies of the Committee's renewal charter with appropriate committees in Congress.

Dated: May 4, 1999.

Lee Price,

*Acting Under Secretary for Economic Affairs,
Economics and Statistics Administration.*

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-827]

Certain Cased Pencils From the People's Republic of China; Notice of Amended Final Determination of Sales at Less Than Fair Value and Amended Antidumping Duty Order in Accordance With Final Court Decision

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

ACTION: Notice of Amended Final Determination of Sales at Less Than Fair Value and Amended Antidumping Duty Order in Accordance With Final Court Decision on Certain Cased Pencils from the People's Republic of China.

SUMMARY: On February 2, 1999, the US Court of Appeals for the Federal Circuit issued a mandate affirming the US Court of International Trade's affirmation of the Department of Commerce's voluntary remand results of the final determination of sales at less than fair value in the antidumping duty investigation of certain cased pencils from the People's Republic of China. As there is now a final and conclusive court decision in this action, we are amending our final determination and our antidumping duty order.

EFFECTIVE DATE: May 11, 1999.

FOR FURTHER INFORMATION CONTACT: Roy Malmrose or Melani Miller, Import Administration, International Trade Administration, US Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone: (202) 482-5414 and (202) 482-0116, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 8, 1994, the Department of Commerce ("the Department") published in the **Federal Register** its final determination of sales at less than fair value ("LTFV") on certain cased pencils from the People's Republic of China ("PRC") (59 FR 55625).

Subsequent to the publication of the Department's final determination, the petitioners and the respondents challenged this determination before the US Court of International Trade ("CIT"). The Department requested a voluntary remand after concluding that it was appropriate to re-open the administrative record for both factual information and argument to allow parties an opportunity to address the issues of the appropriate prices for US basswood and the appropriate

methodology for valuing slats and logs. On March 22, 1996, the Department filed its remand determination with the CIT.

Following the filing of the Department's remand determination, the CIT, on November 13, 1997, affirmed the Department's remand results in *Writing Instrument Manufacturers Association, Pencil Section, et. al. v. United States*, 984 F.Supp. 629 (CIT 1997), and upheld the Department on all other challenged aspects of the final determination. Consistent with the US Court of Appeals for the Federal Circuit's ("Federal Circuit") decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department published a "Notice of Court Decision" in the **Federal Register** on December 11, 1997 (62 FR 65243). Pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), this notice ordered the continued suspension of liquidation of any subject merchandise entered, or withdrawn from warehouse, for consumption until a final and conclusive decision in the case was reached.

In its Notice of Court Decision, the Department also announced that it would instruct the Customs Service to begin suspension of liquidation, effective November 23, 1997, with respect to subject merchandise produced and exported by China First Co. Ltd. ("China First") pending a final and conclusive court decision in this action. While exports of merchandise produced by China First were originally excluded from the antidumping order, the Department's remand determination found that merchandise exported and produced by China First was, in fact, sold at LTFV.

On February 2, 1999, the Federal Circuit issued its mandate affirming its December 11, 1998, judgement in *Writing Instrument Manufacturers Association, Pencil Section, et. al. v. United States*, Appeal Nos. 98-1178 and 98-1202 (Fed. Cir., December 11, 1998). This December 11 judgement affirmed the CIT's November 13, 1997, decision which upheld the Department's final and remand determinations in all aspects.

As there is now a final and conclusive court decision with respect to this proceeding, we are amending our final results of review and antidumping order accordingly.

Inclusion in the Application of the Antidumping Duty Order

As discussed above and pursuant to the affirmed remand determination, China First is no longer excluded from the antidumping duty order issued in

this case (see *Antidumping Duty Order: Certain Cased Pencils from the PRC*, 59 FR 66909 (December 28, 1994)) (“*Antidumping Duty Order*”). Therefore, as noted above, subject merchandise exported by China First, irrespective of the identity of the producer, will be subject to a rate of 8.60 percent.

Amendment to Final Determination and Antidumping Order

Because there is now a final and conclusive decision in this court proceeding, effective as of the publication date of this notice, the final dumping margins and the PRC country-wide (“all others”) rate are as follows:

Manufacturer/producer/exporter	Margin percentage
China First	8.60
Shanghai Lansheng Corp	19.36
Shanghai Foreign Trade Corp ..	11.15
Guangdong Stationery/Three Star Stationery	0.00
Guangdong Stationery/all other producers	53.65
PRC country-wide rate	53.65

The above-listed rate for Shanghai Lansheng Corp. (“Shanghai Lansheng”) will not affect that company’s deposit or assessment rates for any segment of this proceeding. Since publication of the LTFV final determination and order, the Department has completed, pursuant to section 751(a) of the Act, an administrative review covering Shanghai Lansheng’s entries for the period December 21, 1994, through November 30, 1995. (See *Certain Cased Pencils from the People’s Republic of China; Final Results of Antidumping Duty Administrative Review*, 62 FR 24636 (May 6, 1997) and *Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review*, 62 FR 1734 (January 13, 1997) (“1994–1995 Review”). In that review, the Department determined that Shanghai Lansheng was no longer entitled to a separate rate, and its entries for that period will be assessed at the PRC country-wide rate, which is also its cash deposit rate. Therefore, pursuant to our determination in the 1994–1995 Review, we will continue to instruct the Customs Service to collect a cash deposit rate of 53.65 for Shanghai Lansheng.

Also, as was noted above, China First is no longer excluded from the antidumping duty order issued in this case. Therefore, the Department will instruct the Customs Service to collect a cash deposit rate of 8.60 percent for China First. Guangdong Stationery/ Three Star Stationery continues to be

excluded from the antidumping order (see *Antidumping Duty Order*).

In all other cases, the Department will instruct the Customs Service to change the cash deposit requirements in accordance with the above rates.

Dated: May 5, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–814]

Pure Magnesium From Canada; Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not To Revoke Order in Part

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

ACTION: Notice of preliminary results of 1997–1998 administrative review and intent not to revoke.

SUMMARY: The Department of Commerce is conducting an administrative review of the antidumping duty order on pure magnesium from Canada. The period of review is August 1, 1997 through July 31, 1998. This review covers imports of pure magnesium from one producer/exporter.

We have preliminarily found that sales of subject merchandise have not been made below normal value. Further, we intend not to revoke the order with respect to pure magnesium from Canada produced by Norsk Hydro Canada Inc. If these preliminary results are adopted in our final results, we will instruct the Customs Service not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results. We will issue the final results not later than 120 days from the date of publication of this notice.

EFFECTIVE DATE: May 11, 1999.

FOR FURTHER INFORMATION CONTACT: Zak Smith or Melani Miller, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482–0189 or (202) 482–0116, respectively.

The 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 of Commerce’s (“the Department’s”) regulations refer to the regulations, codified at 19 CFR part 351 (62 FR 27399, May 19, 1997).

Background

The Department published an antidumping duty order on pure magnesium from Canada on August 31, 1992 (57 FR 39390). On August 11, 1998, the Department published a notice of “Opportunity to Request an Administrative Review” of the antidumping duty order on pure magnesium from Canada (63 FR 42821). On August 25, 1998, Magnesium Corporation of America (the “petitioner”) requested an administrative review of imports of the subject merchandise produced by Norsk Hydro Canada Inc. (“NHCI”) during the period August 1, 1997, through July 31, 1998. NCHI made a similar request for review on August 28, 1998. In accordance with 19 CFR 351.221, we initiated the review on September 29, 1998. The Department is now conducting this administrative review in accordance with section 751 of the Act.

Scope of Review

The product covered by this review is pure magnesium. Pure unwrought magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Granular and secondary magnesium are excluded from the scope currently classifiable under subheading 8104.11.0000 of the Harmonized Tariff Schedule (“HTS”). The HTS item number is provided for convenience and for customs purposes. The written description remains dispositive.

Export Price

For sales to the United States, we used export price (“EP”) as defined in section 772(a) of the Act because the merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation. The use of constructed export prices was not warranted based on the facts of the record. EP was based on the packed, delivered, duties unpaid price to unaffiliated purchasers in the United States. We made a deduction for movement expenses in accordance with section 772(c)(2)(A) of the Act; this included the foreign and U.S. inland freight expenses.