

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 publication. See 19 CFR 351.310(c). If requested, a hearing will be held 44 days after the publication of this notice, or the first workday thereafter.

Issues raised in the hearing will be limited to those raised in the respective case briefs and rebuttal briefs. Case briefs from interested parties and rebuttal briefs, limited to the issues raised in the respective case briefs, may be submitted not later than 30 days and 37 days, respectively, from the date of publication of these preliminary results. See 19 CFR 351.309(c) and (d). Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. Parties are also encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

The Department will issue the final results of these administrative reviews, including the results of its analysis of issues raised in any written briefs or at the hearing, if held, not later than 120 days after the date of publication of this notice.

Interested parties who wish to request a hearing or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, Room B-099, within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. See 19 CFR 351.310(c).

#### Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appropriate appraisal instructions directly to the Customs Service upon completion of this review. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties. We will instruct the Customs Service to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above *de minimis*. For assessment purposes, we intend to calculate importer-specific

assessment rates for the subject merchandise by aggregating the dumping margins calculated for all U.S. sales examined and dividing this amount by the total entered value of the sales examined. In calculating these importer-specific assessment rates, we will take into account the amount of the reimbursement calculated on sales during the POR. See *Calculation Memo* for details.

#### Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise 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)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be those established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in these reviews, a prior review, or the original less-than-fair-value (LTFV) investigation, 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 29.52 percent, the "All Others" rate made effective by the LTFV investigation. These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

#### Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. 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 is published in accordance with sections 751(a)(1) of the Act and CFR 351.221.

Dated: November 1, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-29059 Filed 11-4-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-811]

#### Preliminary Determination of Critical Circumstances: Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation

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

**EFFECTIVE DATE:** November 5, 1999.

**FOR FURTHER INFORMATION CONTACT:** Doreen Chen at (202) 482-0408 or Rick Johnson at (202) 482-3818, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

#### Preliminary Determination of Critical Circumstances

##### *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 (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are references to the provisions codified at 19 CFR Part 351 (1999).

##### *Critical Circumstances*

On August 12, 1999, the Department of Commerce ("the Department") initiated an investigation to determine whether imports of solid fertilizer grade ammonium nitrate from the Russian Federation ("Russia") are being, or are likely to be, sold in the United States at less than fair value. In the petition filed on July 23, 1999, petitioner alleged that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of solid fertilizer grade ammonium nitrate from Russia. On September 3, 1999, the International Trade Commission ("ITC") determined that there was threat of material injury to the domestic industry from imports of solid fertilizer grade ammonium nitrate from Russia.

In accordance with 19 CFR 351.206(c)(2)(i), because petitioner submitted a critical circumstances

allegation more than 20 days before the scheduled date of the preliminary determination, the Department must issue a preliminary critical circumstances determination no later than the date of the preliminary determination. In a policy bulletin issued on October 8, 1998 (Policy Bulletin Number 98.4), the Department stated that it may issue a preliminary critical circumstances determination prior to the date of the preliminary LTFV determination, assuming adequate evidence of critical circumstances exists (see *Change in Policy Regarding Timing of Issuance of Critical Circumstances Determinations*, 63 FR 55364 (October 15, 1998)). In accordance with this policy, we are issuing a preliminary critical circumstances decision in the investigation of imports of solid fertilizer grade ammonium nitrate from Russia.

Section 733(e)(1) of the Act provides that the Department will determine that critical circumstances exist if there is a reasonable basis to believe or suspect that: (A)(i) there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or (ii) the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there was likely to be material injury by reason of such sales, and (B) there have been massive imports of the subject merchandise over a relatively short period.

#### *History of Dumping and Importer Knowledge*

To determine whether there is a history of injurious dumping of the merchandise under investigation, in accordance with section 733(e)(1)(A)(i), the Department considers evidence of existing antidumping orders on solid fertilizer grade ammonium nitrate from Russia in the United States or elsewhere to be sufficient. To support a finding of history of injurious dumping of Russian ammonium nitrate, the petition states that the European Community ("EC") issued an antidumping order in 1995 on imports of ammonium nitrate from Russia. This order remains in effect today. The existence of an antidumping order on Russian ammonium nitrate in the EC is sufficient evidence of a history of injurious dumping. Accordingly, there is no need to examine importer knowledge.

#### *Massive Imports*

In determining whether there are "massive imports" over a "relatively

short time period," the Department ordinarily bases its analysis on import data for at least the three months preceding (the "base period") and following (the "comparison period") the filing of the petition. Imports normally will be considered massive when imports during the comparison period have increased by 15 percent or more compared to imports during the base period. However, as stated in the Department's regulations at section 351.206(i), if the Secretary finds that importers, exporters, or producers had reason to believe, at some time prior to the beginning of the proceeding, that a proceeding was likely, then the Secretary may consider a time period of not less than three months from that earlier time.

In this case, petitioner argues that importers, exporters, or producers of Russian solid fertilizer grade ammonium nitrate had reason to believe that an antidumping proceeding was likely before the filing of the petition. The Department examined whether conditions in the industry and published reports and statements provide a basis for inferring knowledge that an antidumping investigation on the subject merchandise was likely. The Department found that, as a result of an investigation on Russian ammonium nitrate imports by the International Trade Commission under section 332(g) of the Tariff Act of 1930, as amended (published on May 6, 1998), there was considerable press coverage discussing concerns of ammonium nitrate producers, among others, concerning the influx of imports of subject merchandise and the likelihood of a remedial trade action, including the filing of an antidumping petition. On December 3, 1998, a coalition of U.S. producers of solid fertilizer grade ammonium nitrate formed the Committee for Fair Ammonium Nitrate Trade ("COFANT"), to monitor developments with respect to the importation of ammonium nitrate and to pursue available remedies, should unfair trade practices be identified. On December 7, 1998, the formation of this coalition was reported in a trade publication. Significantly, this trade publication also reported in the same article that "some of the committee members already have been active in trying to get federal officials to find evidence of Russian AN dumping." See *Petition for the Imposition of Antidumping Duties: Solid Agricultural Grade Ammonium Nitrate from the Russian Federation* (July 23, 1999) at Exhibit 37, p. 5.

The press coverage leading up to the formation of COFANT and the

announcement thereof in early December 1998, including the explicit reference to a dumping action against imports of ammonium nitrate from Russia, are sufficient evidence that the Russian producers and importers were on notice that an antidumping proceeding concerning the subject merchandise was likely. Thus, we preliminarily determine that by early December 1998, importers, exporters, or producers knew or should have known that a proceeding was likely concerning solid fertilizer grade ammonium nitrate from Russia (see discussion in the *Determination of Critical Circumstances Memorandum*, November 1, 1999).

Therefore, we examined the increase in import volumes during the period of December 1998 through May 1999 as compared to June 1998 through November 1998. The Department found that imports of subject merchandise escalated by over 257.88 percent (see Attachment 1 to the *Determination of Critical Circumstances Memorandum*). Furthermore, while the record indicated that seasonality might account for some of that increase, we preliminarily determine that the 257.88 percent increase is not simply a function of seasonality, as the actual volume increase from the period December to May compared to the same period in the previous two years indicates an actual volume increase of 88.31 percent (see Attachment 2 to the *Determination of Critical Circumstances Memorandum*). Therefore, pursuant to section 733(e) of the Act and section 351.206(h) of the Department's regulations, we preliminarily determine that there have been massive imports of solid fertilizer grade ammonium nitrate from Russia over a relatively short time.

#### *Conclusion*

We preliminarily determine that there is a reasonable basis to believe or suspect that critical circumstances exist for imports of solid fertilizer grade ammonium nitrate from Russia.

#### *Suspension of Liquidation*

In accordance with section 733(e)(2) of the Act, upon issuance of an affirmative preliminary determination of sales at less than fair value in the investigation, the Department will direct the U.S. Customs Service to suspend liquidation of all entries of solid fertilizer grade ammonium nitrate from Russia, as appropriate, that are entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication in the **Federal Register** of our preliminary determination of sales at less than fair value. The Customs Service shall

require a cash deposit or posting of a bond equal to the estimated preliminary dumping margin reflected in the preliminary determination of sales at less than fair value published in the **Federal Register**. This suspension of liquidation will remain in effect until further notice.

#### *Final Critical Circumstances Determination*

We will make a final determination concerning critical circumstances for Russia when we make our final determination regarding sales at less than fair value in this investigation, which will be 75 days after the preliminary determination regarding sales at less than fair value, unless this investigation is extended.

#### **ITC Notification**

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. This notice is published pursuant to section 777(i) of the Act.

Dated: November 1, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-29062 Filed 11-4-99; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

[C-428-812]

#### **Hot-Rolled Lead and Bismuth Carbon Steel Products From Germany: Extension of Preliminary Results of Countervailing Duty Administrative Review**

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

**ACTION:** Notice of extension of time limit for preliminary results of countervailing duty administrative review.

**EFFECTIVE DATE:** November 5, 1999.

**FOR FURTHER INFORMATION CONTACT:** Robert Copyak at 202-482-2209, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230.

#### **Time Limits**

##### *Statutory Time Limits*

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to make a preliminary determination within 245 days after the

last day of the anniversary month of an order/finding for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. However, if it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

#### *Background*

On April 30, 1999, the Department published a notice of initiation of administrative review of the countervailing duty order on hot-rolled lead and bismuth carbon steel products from Germany, covering the period January 1, 1998, through December 31, 1998, (64 FR 23269, 23280). The preliminary results are currently due no later than December 1, 1999.

#### *Extension of Preliminary Results of Review*

We determine that it is not practicable to complete the preliminary results of this review within the original time limit. Therefore the Department is extending the time limits for completion of the preliminary results until no later than March 30, 2000. See Decision Memorandum from Holly A. Kuga to Robert S. LaRussa, dated October 27, 1999, which is on file in the Central Records Unit. We intend to issue the final results no later than 120 days after the publication of the preliminary results notice.

This extension is in accordance with section 751(a)(3)(A) of the Act.

Dated: October 28, 1999.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, Import Administration, Group II.*

[FR Doc. 99-29061 Filed 11-4-99; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **National Institute of Standards and Technology**

[Docket No. 98109262-919-02]

RIN 0693-ZA 27

#### **Announcing Approval of Federal Information Processing Standard (FIPS) 46-3, Data Encryption Standard**

**AGENCY:** National Institute of Standards and Technology (NIST), Commerce.

**ACTION:** Notice.

**SUMMARY:** The Secretary of Commerce has approved Federal Information

Processing Standard (FIPS) 46-3, Data Encryption Standard, which supersedes FIPS 46-2. FIPS 46-3 provides for the use of the Triple DES as specified in American National Standard (ANSI) X9.52. NIST expects that Triple DES will provide Federal agencies with strong protective measures against associated risks until the Advanced Encryption Standard (AES) is available, probably in 2001.

**EFFECTIVE DATE:** This standard is effective March 25, 2000.

**ADDRESSES:** FIPS 46-3 is available on the NIST web page at: <<http://csrc.nist.gov/publications/drafts.html>>.

Copies of the ANSI X9.52 (Triple DES) standard are available from American Bankers Assoc./DC, X9 Customer Service Dept., P.O. Box 79064, Baltimore, MD 21279-0064, telephone 1-800-338-0626.

Information on the Advanced Encryption Standard under development is available at: <<http://www.nist.gov/aes>>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elaine Barker, (301) 975-2911, National Institute of Standards and Technology, 100 Bureau Drive, STOP 8930, Gaithersburg, MD 20899-8930.

**SUPPLEMENTARY INFORMATION:** Federal Information Processing Standard 46, Data Encryption Standard (DES), first issued in 1977, specified the Data Encryption algorithm, to be implemented in hardware devices, for the cryptographic protection of computer data. The standard provided that it be reviewed within five (5) years to assess its adequacy. In 1981, the DES was adopted as an American National Standard and became widely used by the financial community. The first review of the DES was completed in 1983, and the DES was reaffirmed for Federal government use (48 FR 41062). The second review, completed in 1987, again resulted in the reaffirmation of the standard for Federal government use (52 FR 7006). The standard was re-issued as FIPS 46-1 with minor editorial updating. The third review was completed in 1993, and the standard was reaffirmed as FIPS 46-2 for Federal government use (58 FR 69347). FIPS 46-2 provided for software implementations, as well as hardware implementations, of the DES.

When the DES was reaffirmed in 1993, NIST stated that it would "consider alternatives which offer a higher level of security" at the next review in 1998. There was concern that the DES 56-bit key was not long enough to prevent an attack by trying all of the possible keys. NIST believed that the key was sufficiently long for the