

## DEPARTMENT OF COMMERCE

## International Trade Administration

**The University of Chicago; 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:* 00-040. *Applicant:* The University of Chicago, Operator of Argonne National Laboratory, Argonne, IL 60439. *Instrument:* UHV Scanning Tunneling Microscope/Atomic Force Microscope. *Manufacturer:* Omicron Vakuumphysik GmbH, Germany. *Intended Use:* See notice at 66 FR 7626, January 24, 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: (1) Integral vibration isolation with spring suspension and 360° magnetic eddy current damping on the head, (2) continuous imaging in a range of 25–1500° K, (3) scan range of 12 × 12 × 1.2 μm<sup>3</sup> and (4) needle sensor AFM with electrical sensing. A university research laboratory and the National Institute of Standards and Technology advised February 4, 2001 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use (comparable case).

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. 01-6118 Filed 3-12-01; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

## International Trade Administration

[C-201-810]

**Certain Cut-to-Length Carbon Steel Plate From Mexico: Final Results of Countervailing Duty Administrative Review**

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

**ACTION:** Notice of final results of countervailing duty administrative review.

**SUMMARY:** On September 7, 2000, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results of administrative review of the countervailing duty order on certain cut-to-length carbon steel plate (CTL Plate) from Mexico for the period January 1, 1998, through December 31, 1998.

Based on our analysis of the comments received, we have made changes to the net subsidy rate. Therefore, the final results differ from the preliminary results. The final net subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** March 13, 2001.

**FOR FURTHER INFORMATION CONTACT:** Eric B. Greynolds at (202) 482-6071 or Michael Grossman at (202) 482-3146, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:****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 to the regulations codified at 19 CFR part 351 (2000).

**Background**

On September 7, 2000, the Department published the preliminary results of the administrative review of the countervailing duty order on certain cut-to-length carbon steel plate from Mexico. See *Certain Cut-to-Length Carbon Steel Plate from Mexico:*

*Preliminary Results of Countervailing Duty Administrative Review*, 65 FR 54232, (September 7, 2000) (Preliminary Results). This review covers one manufacturer/exporter, Altos Hornos de Mexico, S.A. (AHMSA). The review covers the period January 1, 1998, through December 31, 1998, and 17 programs.

**Scope of the Review**

The products covered by this administrative review are certain cut-to-length carbon steel plates. 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, of 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 Schedules of the United States (HTSUS) under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000.

Included in this administrative review 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 bevelled or rounded at the edges. Excluded from this administrative review is grade X-70 plate. HTSUS subheadings are provided for convenience and Customs purposes. The written description of the scope of this proceeding is dispositive.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) dated March 6,

2001, which is hereby adopted by this notice. A list of 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 Appendix I. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in room B-099 of the Main Commerce Building. In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at <http://www.ia.ita.doc.gov>, under the heading "Federal Register Notices." The paper copy and electronic version of the Decision Memorandum are identical in content.

**Changes Since the Preliminary Results**

Based on our analysis of comments received, we have made certain changes to the net subsidy rate. Any changes are discussed in the relevant sections of the Decision Memorandum.

**Final Results of Review**

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for each producer/exporter subject to this review. We will instruct the U.S. Customs Service (Customs) to assess countervailing duties as indicated below on all appropriate entries. For the period January 1, 1998, through December 31, 1998, we determine the net subsidy rate for the reviewed company to be as follows:

Manufacturer/Exporter	Net subsidy rate (percent)
AHMSA .....	11.68

We will instruct Customs to assess countervailing duties as indicated above. The Department will also instruct Customs to collect cash deposits of estimated countervailing duties in the percentages detailed above of the f.o.b. invoice price on all shipments of the subject merchandise from reviewed companies, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

Because the URAA replaced the general rule in favor of a country-wide rate with a general rule in favor of individual rates for investigated and reviewed companies, the procedures for establishing countervailing duty rates, including those for non-reviewed companies, are now essentially the same as those in antidumping cases, except as provided for in section 777A(e)(2)(B) of

the Act. The requested review will normally cover only those companies specifically named. See 19 CFR 351.23(b). Pursuant to 19 CFR 351.212(c), for all companies for which a review was not requested, duties must be assessed at the cash deposit rate, and cash deposits must continue to be collected at the rate previously ordered. As such, the countervailing duty cash deposit rate applicable to a company can no longer change, except pursuant to a request for a review of that company. See *Federal-Mogul Corporation and the Torrington Company v. United States*, 822 F. Supp. 782 (CIT 1993); *Floral Trade Council v. United States*, 822 F. Supp. 766 (CIT 1993). Therefore, the cash deposit rates for all companies except those covered by this review will be unchanged by the results of this review.

We will instruct Customs to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non-reviewed companies covered by this order will be the rate for that company established in the most recently completed administrative proceeding conducted under the Act, as amended by the URAA. If such a review has not been conducted, the rate established in the most recently completed administrative proceeding pursuant to the statutory provisions that were in effect prior to the URAA amendments is applicable. See *Final Affirmative Countervailing Duty Determination: Certain Steel Products from Mexico*, 58 FR 37352 (July 9, 1993). These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested. In addition, for the period January 1, 1998, through December 31, 1998, the assessment rates applicable to all non-reviewed companies covered by this order are the cash deposit rates in effect at the time of entry.

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 USC 1675(a)(1)).

Dated: March 6, 2001.

**Timothy J. Hauser,**

*Acting Under Secretary for International Trade.*

**Appendix I—Issues Discussed in Decision Memorandum**

<http://www.ia.ita.doc.gov>, under the heading ("Federal Register Notices").

**Methodology and Background Information**

- I. Subsidies Valuation Information
  - A. Allocation Period
  - B. Creditworthiness and Calculation of Discount Rate
- II. Change-in-Ownership
  - A. Background on Methodology
  - B. Preliminary Analysis of AHMSA's Change-In-Ownership
  - C. Application of Methodology
- III. Inflation Methodology

**Analysis of Programs**

- I. Programs Conferring Subsidies
  - A. Government of Mexico (GOM) Equity Infusions
  - B. 1986 Assumption of AHMSA's Debt
  - C. 1988 and 1990 Debt Restructuring of AHMSA Debt and the Resulting Discounted Prepayment in 1996 of AHMSA's Restructured Debt Owed to the GOM
  - D. Grants from the Mexican Institute for Steel Research (*i.e.*, IMIS)
  - E. Lay-off Financing from the GOM Bestowed in 1994
  - F. Bancomext Export Loans
  - G. PITEX Duty-Free Imports for Companies That Export
  - H. Committed Investment
  - I. Immediate Deduction
- II. Programs Determined To Be Not Countervailable
  - A. Alleged Assumption of AHMSA's Debt
- III. Programs Determined To Be Not Used
  - A. Bancomext Short-Term Import Financing
  - B. FONEI Long-Term Financing
  - C. Export Financing Restructuring
  - D. Bancomext Trade Promotion Services and Technical Support
  - E. Empresas de Comercio Exterior or Foreign Trade Companies Program
  - F. Article 15 & 94 Loans
  - G. Nafinsa Long-Term Loans
- IV. Total Ad Valorem Rate
- V. Analysis of Comments

Comment 1: Grupo Acerero del Norte S.A. de C.V.'s (GAN) Committed Investment Into AHMSA.

Comment 2: Assumption of AHMSA's Debt.

Comment 3: Discount Rates Used in the Allocation of AHMSA's Non-Recurring Grants.

Comment 4: Immediate Deduction.

Comment 5: PITEX.

Comment 6: Pre-Privatization Subsidies.

Comment 7: Preliminary Change In Ownership Analysis.

Comment 8: Short-Term Benchmark Interest Rate.

Comment 9: Discounted Prepayment of Debts, Lay-off Financing from the GOM

Bestowed in 1994, and Bancomext Export Loans.

[FR Doc. 01-6229 Filed 3-12-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D.030501A]

#### Endangered and Threatened Species; Take of Anadromous Fish

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of availability and request for comment.

**SUMMARY:** The Washington Department of Fish and Wildlife and the Point-No-Point Treaty Tribes submitted a jointly developed Resource Management Plan (RMP), Summer Chum Salmon Conservation Initiative - An Implementation Plan to Recover Summer Chum Salmon in the Hood Canal and Strait of Juan de Fuca Region, pursuant to the protective regulations promulgated for the Hood Canal Summer-Run chum salmon Evolutionary Significant Unit (ESU) under the Endangered Species Act (ESA). The RMP specifies the future management of commercial, recreational and tribal salmon fisheries potentially affecting listed Hood Canal and Strait of Juan de Fuca summer-run chum salmon. This document serves to notify the public of the availability for comment of the proposed evaluation of the Secretary of Commerce (Secretary) as to how the RMP addresses the criteria in the ESA.

**DATES:** Written comments on the Secretary's evaluation must be received at the appropriate address or fax number (see ADDRESSES) no later than 5 p.m. Pacific Standard Time on March 30, 2001.

**ADDRESSES:** Written comments and requests for copies of the proposed evaluation should be addressed to Keith Schultz, Sustainable Fisheries Division, National Marine Fisheries Service, 7600 Sand Point Way NE, Seattle, WA 98115-0070. Comments may also be sent via fax to 206/526-6736. The document is also available on the Internet at <http://www.nwr.noaa.gov/>, Sustainable Fisheries Division site. Comments will not be accepted if submitted via e-mail or the Internet.

**FOR FURTHER INFORMATION CONTACT:** Keith Schultz at phone number: 206/526-4447, or e-mail:

[keith.schultz@noaa.gov](mailto:keith.schultz@noaa.gov) regarding the RMP.

The Summer Chum Salmon Conservation Initiative - An Implementation Plan to Recover Summer Chum Salmon in the Hood Canal and Strait of Juan de Fuca Region is available on the Internet at the State of Washington, Department of Fish and Wildlife web site <http://www.wa.gov/wdfw/fish/chum/chum.htm>.

**SUPPLEMENTARY INFORMATION:** This notice is relevant to the Hood Canal summer-run chum salmon (*Oncorhynchus keta*) Evolutionarily Significant Unit (ESU).

#### Background

The Washington Department of Fish and Wildlife and the Point-No-Point Treaty Tribes have provided a jointly developed RMP for Hood Canal and Strait of Juan de Fuca summer-run chum salmon. The RMP encompasses fisheries within the range of the Hood Canal summer-run chum salmon ESU. Harvest objectives specified in the RMP account for fisheries-related mortality throughout the migratory range of Hood Canal and Strait of Juan de Fuca summer-run chum salmon—from Northern British Columbia, Canada to South Puget Sound. The RMP also includes implementation, monitoring and evaluation procedures designed to ensure fisheries are consistent with these objectives.

As required by § 223.203 (b)(6) of the ESA 4(d) rule, the Secretary must determine pursuant to 50 CFR 223.209 and pursuant to the government to government processes therein whether the RMP for Hood Canal and Strait of Juan de Fuca summer-run chum salmon would appreciably reduce the likelihood of survival and recovery of the Hood Canal summer-run chum salmon and other affected threatened ESUs. The Secretary must take comments on how the RMP addresses the criteria in § 223.203(b)(4) in making that determination.

#### Authority

Under section 4 of the ESA, the Secretary is required to adopt such regulations as he deems necessary and advisable for the conservation of the species listed as threatened. The ESA salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000) specifies categories of activities that contribute to the conservation of listed salmonids and sets out the criteria for such activities. The rule further provides that the prohibitions of paragraph (a) of the rule do not apply to actions undertaken in compliance with a RMP plan developed jointly by the State of Washington and

the Tribes (joint plan) and determined by the Secretary to be in accordance with the salmon and steelhead 4(d) rule (65 FR 42422, July 10, 2000).

Dated: March 7, 2001.

**Phil Williams,**

*Acting Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 01-6211 Filed 3-12-01; 8:45 am]

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## DEPARTMENT OF COMMERCE

### United States Patent and Trademark Office

[Docket No. 000317075-1035-02]

RIN 0651-XX22

#### Public Advisory Committees

**AGENCY:** United States Patent and Trademark Office, Commerce.

**ACTION:** Notice and request for nominations.

**SUMMARY:** On November 29, 1999, the President signed into law the Patent and Trademark Office Efficiency Act (the "Act"), Pub. L. 106-113, Appendix I, Title IV, Subtitle G, 113 Stat. 1501A-572, which, among other things, established two Public Advisory Committees to review the policies, goals, performance, budget and user fees of the United States Patent and Trademark Office (USPTO) with respect to patents, in the case of the Patent Public Advisory Committee, and with respect to trademarks, in the case of the Trademark Public Advisory Committee, and to advise the Director in these matters. The USPTO is requesting nominations for three (3) members to each Public Advisory Committee for terms beginning on July 13, 2001.

**DATES:** Nominations must be postmarked or electronically transmitted on or before April 12, 2001.

**ADDRESSES:** Persons wishing to submit nominations should send the nominee's resume to Chief of Staff, Office of the Director of the USPTO, Washington, DC 20231; by electronic mail to [PPACnomination@uspto.gov](mailto:PPACnomination@uspto.gov) for the Patent Public Advisory Committee or [TPACnomination@uspto.gov](mailto:TPACnomination@uspto.gov) for the Trademark Public Advisory Committee; by facsimile transmission marked to the Chief of Staff's attention at (703) 305-8664; or by mail marked to the Chief of Staff's attention and addressed to the Office of the Director of the USPTO, Washington, DC 20231.

**FOR FURTHER INFORMATION CONTACT:** Chief of Staff by facsimile transmission