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Done at Washington, DC, on April 21, 2003.

Garry L. McKee,
Administrator.

[FR Doc. 03-10393 Filed 4-25-03; 8:45 am]
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DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Lincoln County Resource Advisory Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: Pursuant to the authorities in the Federal Advisory Committee Act (Pub. L. 92-463) and under the Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106-363) the Kootenai National Forests' Lincoln County Resource Advisory Committee will meet on May 5 in Rexford Montana, June 2 and July 7, 2003 at 6:30 p.m. in Libby, Montana for business meetings. The meetings are open to the public.

DATES: May 3, June 2, and July 7, 2003.

ADDRESSES: The May meeting will be held at the Old Rexford School, 122 Gateway Road, Rexford Montana and the June and July Meetings will be held at the Kootenai National Forest Supervisor's Office, located at 1101 U.S. Highway 2 West, Libby, MT.

FOR FURTHER INFORMATION CONTACT:
Barbara Edgmon, Committee Coordinator, Kootenai National Forest at (406) 293-6211, or email bedgmon@fs.fed.us.

SUPPLEMENTARY INFORMATION: Agenda topics include informational presentations, status of approved projects, accepting project proposals for

consideration and receiving public comment. If the meeting date or location is changed, notice will be posted in the local newspapers, including the Daily Interlake based in Kalispell, MT.

Dated: April 21, 2003.

Bob Castaneda,
Forest Supervisor.
[FR Doc. 03-10332 Filed 4-25-03; 8:45 am]
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ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Access Board Meeting

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has scheduled its regular business meetings to take place in Bethesda, MD, on Tuesday and Wednesday, May 13-14, 2003, at the times and location noted below.

DATES: The schedule of events is as follows:

Tuesday, May 13, 2003

9-Noon Passenger Vessels Ad Hoc Committee (closed).

1:30-5 p.m. Public Rights-of-Way Ad Hoc Committee (closed).

Wednesday, May 14, 2003

9-11 a.m. Planning and Budget Committee.

11-11:45 a.m. Technical Programs Committee.

11:45-12:30 p.m. Executive Committee (closed).

2-3:30 p.m. Board Meeting.

ADDRESSES: The meetings will be held at the Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, MD.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meetings, please contact Lawrence W. Roffee, Executive Director, (202) 272-0001 (voice) and (202) 272-0082 (TTY).

SUPPLEMENTARY INFORMATION: At the Board meeting, the Access Board will consider the following agenda items:

Open Meeting

- Approval of the March 12, 2003, Board Meeting Minutes.
- Planning and Budget Committee Report.
- Technical Programs Committee Report.

Closed Meeting

- Passenger Vessels Accessibility Guidelines.
- Public Rights-of-Way Accessibility Guidelines.
- Executive Committee Report.
- Draft Regulatory Assessment of Final Revised Guidelines for the Americans with Disabilities Act and Architectural Barriers Act (closed).

All meetings are accessible to persons with disabilities. Sign language interpreters and an assistive listening system are available at all meetings. Persons attending Board meetings are requested to refrain from using perfume, cologne, and other fragrances for the comfort of other participants.

James J. Raggio,
General Counsel.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-810]

Stainless Steel Bar from India: Notice of Court Decision and Suspension of Liquidation

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

SUMMARY: On March 18, 2003, in *Carpenter Technology Corp. v. United States*, Consol. Court No. 00-09-00447, Slip. Op. 03-28 (CIT 2003), a lawsuit challenging the Department of Commerce's ("the Department") *Stainless Steel Bar from India; Final Results of Antidumping Duty Administrative Review and New Shipper Review and Partial Rescission of Administrative Review*, 65 FR 48965 (August 10, 2000) and accompanying Issues and Decision Memorandum (August 4, 2000) ("Issues and Decision Memorandum") (collectively, "Final Results"), the Court of International Trade ("CIT") affirmed the Department's remand determination and entered a judgment order. In the remand determination, the Department clarified two aspects of the *Final Results* relating to the banding of sales and the dissimilar treatment of two respondents. In addition, the Department recalculated the antidumping duty rate for Viraj Impexpo Ltd. ("Viraj") employing a modified calculation of neutral facts available. As a result of the remand determination, the antidumping duty rate for Viraj has decreased from 2.5 percent to the *de minimis* rate of 0.19 percent.

Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("Timken"), the Department will continue to order the suspension of liquidation of the subject merchandise until there is a "conclusive" decision in this case. If the case is not appealed, or if it is affirmed on appeal, the Department will instruct the U.S. Customs Service to revise the cash deposit rate and liquidate all relevant entries covering the subject merchandise for Viraj.

EFFECTIVE DATE: April 28, 2003.

FOR FURTHER INFORMATION CONTACT: Ryan Langan or Cole Kyle, AD/CVD Enforcement Group I, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-2613 or (202) 482-1503, respectively.

SUPPLEMENTARY INFORMATION:

Background

Following publication of the *Final Results*, Carpenter Technology Corp. ("Carpenter"), the petitioner in this case, and Viraj, a respondent in this case, filed lawsuits with the CIT challenging the Department's *Final Results*.

In the *Final Results*, in accordance with section 773(a)(1)(C) of the Tariff Act of 1930, as amended effective January 1, 1995 ("the Act") by the Uruguay Round Agreements Act ("URAA"), the Department calculated Viraj's antidumping duty margin using third country sales data for normal value because Viraj's home market sales information was incomplete. In using the third country database, the Department was unable to make adjustments for differences in merchandise because, although Viraj cooperated to the best of its ability, it did not report variable cost of manufacture ("VCOM") data in its third country and U.S. sales databases. See section 773(a)(6)(C) of the Act. Therefore, the Department relied on facts otherwise available to account for these differences. In doing so, the Department matched U.S. sales to third country sales according to size ranges ("banding") for price comparison purposes. Where banding did not result in an identical match, the Department applied the "all others" rate of 12.45 percent calculated in *Stainless Steel Bar from India; Notice of Final Determination of Sales at Less Than Fair Value*, 59 FR 66915 (December 28, 1994) ("LTFV investigation"). The "all

others" rate was calculated in accordance with the Tariff Act of 1930, as amended, pre-URAA.

The Court remanded the use of banding to the Department for further explanation. The Court did not find the Department's matching methodology unreasonable or inconsistent with law and recognized the Department's broad authority to determine and apply a model-matching methodology to determine a relevant "foreign like product" under sections 773 and 771(16) of the Act. However, the Court noted the apparent disparate treatment between Viraj and another respondent, Panchmahal Steel, Ltd. The Court found that this "disparity" and the Department's language in its *Issues and Decision Memorandum* necessitated a further explanation from the Department of its rationale for banding Viraj's sales.

Additionally, the Court questioned the Department's use of the "all others" rate applied to Viraj's unmatched U.S. sales. The Court found that the Department's use of a pre-URAA weighted-average "all others" rate that contained one margin based entirely on adverse facts available did not constitute non-adverse facts available. As such, the Court concluded that the Department could not apply this "all others" rate to Viraj, a cooperative respondent. See section 776(b) of the Act.

The *Draft Redetermination Pursuant to Court Remand* ("Draft Results") was released to the parties on September 5, 2002. In its *Draft Results*, the Department clarified to the court its use of banding and the dissimilar treatment of Viraj and Panchmahal Steel, Ltd. We also reconsidered our use of the "all others" rate from the *LTFV investigation* as neutral facts otherwise available where Viraj's U.S. sales did not have an identical match under the banding methodology. We modified our application of neutral facts otherwise available in the margin calculations by substituting for the "all others" rate the weighted-average dumping margin from Viraj's matched banded sales in order to conform with the Court's conclusion that the "all others" rate included adverse inferences.

Comments on the *Draft Results* were received from Carpenter on September 13, 2002, and Viraj submitted rebuttal comments on September 18, 2002. On September 30, 2002, the Department responded to the Court's Order of Remand by filing its *Final Results of Redetermination* pursuant to the Court remand ("Final Results of Redetermination"). The Department's

Final Results of Redetermination was identical to the *Draft Results*.

The CIT affirmed the Department's *Final Results of Redetermination* on March 18, 2003. See *Carpenter Technology Corp. v. United States*, Consol. Court No. 00-09-00447, Slip. Op. 03-28 (CIT 2003).

Suspension of Liquidation

The U.S. Court of Appeals for the Federal Circuit ("Federal Circuit"), in *Timken*, held that the Department must publish notice of a decision of the CIT or the Federal Circuit which is not "in harmony" with the Department's *Final Results*. Publication of this notice fulfills that obligation. The Federal Circuit also held that the Department must suspend liquidation of the subject merchandise until there is a "conclusive" decision in the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation pending the expiration of the period to appeal the CIT's May 17, 2003, decision or, if that decision is appealed, pending a final decision by the Federal Circuit. The Department will instruct the Customs Service to revise cash deposit rates and liquidate relevant entries covering the subject merchandise effective April 28, 2003, in the event that the CIT's ruling is not appealed, or if appealed and upheld by the Court of Appeals for the Federal Circuit.

Dated: April 21, 2003.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 03-10368 Filed 4-25-03; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-122-815]

Alloy Magnesium from Canada: Final Results of Countervailing Duty New Shipper Review

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

ACTION: Notice of Final Results of Countervailing Duty New Shipper Review.

SUMMARY: On January 28, 2003, the Department published the preliminary results of this new shipper review of the countervailing duty order on alloy magnesium from Canada. This new shipper review covers imports of subject merchandise from Magnolia Metallurgy, Inc.